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STATE OF NORTH DAKOTA



LAWS and REGULATIONS

Pertaining to
**Livestock Sanitary
Control Work**



Issued by
**NORTH DAKOTA
LIVESTOCK SANITARY BOARD
BISMARCK, NORTH DAKOTA**

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**NORTH DAKOTA
LIVESTOCK SANITARY BOARD**

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Dr. T. O. Brandenburg, Executive Officer and State Veterinarian.....	Bismarck

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**NORTH DAKOTA
LAWS
PERTAINING TO
LIVESTOCK SANITARY CONTROL
WORK**

36-0101. State Livestock Sanitary Board: How Constituted; Terms and Qualifications of Members. The State Livestock Sanitary Board shall consist of five members appointed by the governor for terms of five years each with their terms of office so arranged that one term, and only one, shall expire on the first day of April in each year. Members of the board shall hold their respective offices until their successors are appointed and qualified. Each member of such board shall be a qualified elector of this state. Three members of the board shall be persons who are financially interested in the breeding and maintenance of livestock in this state, and the other two members shall be competent veterinarians who are graduates of a veterinary course in a recognized college or university. Each member of the board, immediately after his appointment, shall take the oath of office required of civil officers.

36-0102. Meetings of Board: Limitations on Number; Special. The State Livestock Sanitary Board shall hold its meetings at the state capitol at such times as it may designate, but there shall not be more than four regular meetings in any one year. The president of the board may call a special meeting whenever in his judgment it becomes necessary.

36-0103. Officers of Board: Election; Qualifications of Executive Officer. The State Livestock Sanitary Board shall elect a president and a secretary from among its members and an executive officer who shall not be a member of the board. The executive officer shall be a competent and skilled veterinarian and shall be a graduate of the course in veterinary medicine and surgery offered by a recognized college or university.

36-0104. Compensation and Expenses of Members of Board. Each member of the State Livestock Sanitary Board shall receive as compensation for his services the sum of four dollars per day for each day employed and his actual expenses incurred in attending the meetings of the board. Such sum shall be paid out of the state treasury upon vouchers of the board duly certified by the president and secretary thereof.

36-0105. Executive Officer: Salary; Bond. The executive officer of the State Livestock Sanitary Board shall receive for his services such annual salary as shall be provided in the general appropriation bill, and the payment of such salary shall be made from moneys appropriated for that purpose. Before entering upon the discharge of his duties, the executive officer shall give a

bond in the sum of five thousand dollars to the state of North Dakota conditioned for the proper discharge of his duties and shall take the oath of office required of civil officers. He shall receive the actual expenses incurred and paid by him in the discharge of his duties which shall be paid out of the fund appropriated for that purpose.

36-0106. Executive Officer to Act as State Veterinarian; Duties. The executive officer of the State Livestock Sanitary Board shall act as the State Veterinarian and he shall:

1. Ascertain, by personal examination or through reports from other accredited representatives of the board, all information which he can obtain regarding the existence of contagious, infectious and epidemic diseases of animals;
2. Execute all orders, rules and regulations made by the board; and
3. Present at the quarterly meetings thereof a detailed report of all matters connected with the work done by him or by his subordinates during the quarter preceding said meeting.

36-0107. Bacteriologist and Consulting Veterinarian of Board: Duties; Compensation. The professor of Veterinary Science of the agricultural college shall act as Bacteriologist and Consulting Veterinarian to the State Livestock Sanitary Board. He shall make bacteriological or pathological examinations of all diseased animals or portions thereof, or of such material as may be forwarded to him by the board or its duly authorized agents. He shall furnish material for the diagnosis of contagious diseases and instruction as to its use. For his services, the bacteriologist shall receive such compensation as the board may deem proper, which shall be paid out of the fund appropriated for the use of the board.

36-0108. Duties of Board; May Make Rules and Regulations. The State Livestock Sanitary Board shall protect the health of the domestic animals of this state and shall determine and employ the most efficient and practical means for the prevention, suppression, control and eradication of dangerous, contagious and infectious diseases among the domestic animals of this state. The board may make rules and regulations for the conduct of its business and to carry into effect the purposes of this chapter.

36-0109. How Regulations Made. The regulations of the State Livestock Sanitary Board shall

be made in accordance with the provisions of chapter 32 of the title Judicial Procedure, Civil. Source: Chapter 240, pp. 393, S.L. 1941

36-0110. Agents and Assistants May Be Employed by Board; Granting of Authority to United States Government Inspectors. The State Livestock Sanitary Board may employ such officers, agents or assistants as it may deem necessary to carry out the purposes of this chapter at a compensation to be fixed by the board within the limits of appropriations made to the board by the legislative assembly. The board may grant to the inspectors of the United States Department of Agriculture the same authority as is possessed by agents of the board and when such inspectors are engaged in work by the direction or at the request of the board, they shall not receive compensation from the state or be required to give bond thereto.

36-0111. Reports of Board. On or before the first day of December in each year, the State Livestock Sanitary Board shall make a report to the governor of its proceedings and transactions during the preceding year. In each even numbered year, the report for such year and for the preceding year shall be printed.

36-0112. Powers of Board Over Contagious and Infectious Diseases. The State Livestock Sanitary Board may take such steps as it may deem necessary to control, suppress and eradicate any and all contagious and infectious diseases among any of the domestic animals of this state. For this purpose, the board may quarantine any domestic animal which is infected with any such disease or which has been exposed to infection therefrom, cause any animal so infected to be killed, regulate or prohibit the arrival in or departure from this state of any such exposed or infected animal and at the cost of the owner thereof, it may detain any domestic animal found to be in violation of any such regulation or prohibition.

36-0113. Diseased Animal To Be Reported to Board. Any person who shall discover, suspect or have reason to believe that any domestic animal belonging to him or in his charge or belonging to any other person is affected by any contagious disease shall report such knowledge, suspicion or belief to:

1. The State Livestock Sanitary Board or to a member or representative thereof; or
2. The clerk of the township in which such animal is present, or to a supervisor of such

township if the clerk cannot be found. If a report is made to an officer under this sub-section, such officer shall report the facts immediately to the State Livestock Sanitary Board and his failure to do so shall constitute a violation of the provisions of this chapter.

36-0114. Protest Against Killing of Diseased Animal: Examination of Animal by Experts; Appointment of Experts. Whenever a domestic animal has been adjudged to be affected with a contagious or infectious disease and has been ordered killed by the State Livestock Sanitary Board or by an accredited agent thereof, the owner or keeper of said animal shall be notified of the order. Within twenty-four hours after receiving such notice, such owner or keeper may file a protest against the killing of such animal with said board or with its accredited agent who has ordered the animal killed. Such protest shall state under oath that to the best of the knowledge and belief of the person making the same such animal is not infected with any contagious or infectious disease. An examination of the animal involved then shall be made by three experts one of whom shall be appointed by the board, one by the person making the protest, and the third by the two thus appointed. All such experts shall be persons learned in veterinary medicine and surgery and graduates of the veterinary course of a recognized college or university.

36-0115. Expense of Experts; How Paid. If at least two of the experts shall declare that the animal involved is free from any contagious or infectious disease, the expense of the consultation shall be paid by the State Livestock Sanitary Board. If at least two of such experts shall declare that such animal is affected with a contagious or infectious disease, the expenses incurred in the consultation shall be paid by the person making the protest.

36-0116. Carcass of Diseased Animal: How Disposed of. The owner or keeper of any animal killed by order of the State Livestock Sanitary Board shall dispose of the carcass of the animal in the manner prescribed by the board. If the owner or keeper of an animal killed as aforesaid is unknown, the carcass shall be disposed of at the expense of the county in which the carcass is located.

36-0117. Board Members and Agents To Have Same Powers as Justice of Peace in Examinations; When. The State Livestock Sanitary Board and any member or duly authorized agent there-

of, may examine or cause to be examined under oath all persons believed to possess knowledge of material facts concerning the existence or dissemination, or the danger of dissemination, of disease among domestic animals. For this purpose, the board and any member or authorized agent thereof, shall have all the powers vested by this code in justices of the peace to take depositions, to compel witnesses to attend and testify and to administer oaths. Such witnesses shall receive the same fees for attendance and travel as witnesses before the district courts, and said fees shall be paid by the board from moneys appropriated to it.

36-0118. Execution of Orders of Board by Peace Officers; Powers of Officers. The State Livestock Sanitary Board may call any sheriff, deputy sheriff or constable to execute its orders and such officers shall obey the orders of said board. Any peace officer may arrest and take before any justice of the peace of the county any person found violating any of the provisions of this chapter and such officers shall notify the state's attorney immediately of such arrest and the state's attorney shall prosecute the person so offending.

36-0119. Emergency Fund in Case of Epidemic. In case of any serious outbreak of any contagious, infectious or epidemic diseases among domestic animals which cannot be controlled with the funds at the disposal of the State Livestock Sanitary Board the board shall notify the governor at once and the governor thereupon shall call a meeting of the Emergency Commission, and such commission may authorize money to be drawn from the state treasury to meet the emergency.

36-0120. Penalty for Violation of Chapter. Any person violating any of the provisions of this chapter or of any rule or regulation made by the State Livestock Sanitary Board is guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars or by imprisonment for not less than thirty days nor more than ninety days.

36-1401. Sale or Gift of Animal Infected With Contagious or Infectious Diseases Prohibited; Exception; Notice. No person shall sell, give away or in any manner part with any animal infected with or suspected of being infected with any contagious or infectious disease, except as may be provided otherwise by the rules and regulations of the State Livestock Sanitary Board. If any animal is known to have been infected with or

exposed to any such disease within one year prior to such disposal, due notice of such fact shall be given in writing to the person receiving the animal.

36-1402. Killing of Infected Animal for Human Consumption Prohibited; Exception; Stamping of Infected Meat. No person shall kill for human consumption any animal infected, or suspected of being infected with any contagious or infectious disease, nor shall he sell, give away or use any part of such animal or its milk, nor remove any part of its skin, except as the State Livestock Sanitary Board may provide by rules and regulations. When it is lawful under the rules and regulations made by the State Livestock Sanitary Board to sell, barter or give away for human consumption the meat from any animal infected with a contagious or infectious disease, each quarter of meat shall be stamped or labeled in at least ten separate places with the words "infected meat." No meat from any infected or diseased animal shall be placed upon the block or table on which uninfected meat is handled. The provisions of this section shall not apply to industries which are under the supervision of the United States Department of Agriculture, Bureau of Animal Industry.

36-1403. Animals Infected With Contagious or Infectious Disease To Be Confined and Isolated From Other Animals. The owner, agent or person having in charge any animal infected or suspected of being infected with any contagious disease shall confine the animal immediately in a safe place isolated from all other animals with all necessary restrictions to prevent the dissemination of the disease until the arrival of an accredited agent of the State Livestock Sanitary Board.

36-1404. Horses, Mules and Asses Imported Into State To Have Certificate of Health. Each horse, mule and ass brought into this state shall be accompanied by a health certificate certifying that such animal has been examined within thirty days previous to the shipment and found to be free from all contagious and infectious diseases. In addition, any stallion brought into this state shall be accompanied by a certificate of health certifying that it is free from all the diseases and unsoundness specified in section 36-0308.

36-1405. Cattle Brought Into State; Certificate of Health Required. All cattle brought into this state for dairy, breeding and feeding purposes shall be accompanied by a certificate of health certifying that such animals are free from symp-

toms of contagious, infectious or communicable disease. All cattle over six months of age which can be used for dairy or breeding purposes shall be accompanied also by a tuberculin test chart stating that all such animals have been tuberculin tested and found to be free from tuberculosis.

36-1406. Certificate of Health Required for Sheep Imported Into State; Contents. All sheep brought into this state shall be accompanied by a certificate of health specifically stating that they are free from scabies and lip and leg ulceration and have not been exposed thereto within thirty days prior to shipment and that they are free from any indications of any contagious or infectious diseases.

36-1407. Swine Brought Into State To Have Certificate of Health; Contents. All swine brought into this state shall be accompanied by a certificate of health stating that no infectious swine disease exists or has existed in the locality where the shipment originated and from which the swine came within a period of six months prior to the date of the shipment. If such swine are certified by an accredited federal or graduate veterinarian to have been immunized with a protective dose of hog cholera serum prepared or approved by the United States Department of Agriculture not more than fifteen days prior to the date of importation, such swine shall be admitted upon such certificate.

36-1408. Immunization of Swine To Be Exhibited at Fairs. All swine which are to be exhibited at any state or county fair in this state shall be immunized not more than fifteen days prior to such exhibition by the use of a protective dose of hog cholera serum prepared or approved by the United States Department of Agriculture. The required amount of serum shall be furnished free of charge to prospective exhibitors from this state upon application to the State Livestock Sanitary Board.

36-1409. Hog Cholera Virus: Purchase and Use Restricted; Misdemeanor. The purchase or possession for use of hog cholera virus by any person who is not either a farmer who is an owner and breeder of hogs or a licensed veterinarian is prohibited and a farmer who is authorized to possess such virus under the provisions of this section shall not administer the same except to hogs owned by him. No person shall scatter, or place or leave exposed any hog cholera virus or any bottle or container thereof, in any manner which may result in the spread of hog cholera, in the infection of any animal

not treated for such disease or in the contamination of any well, stream or body of water or of any land or premises with such virus or disease germs.

36-1410. Shipments of Cattle, Swine or Sheep for Immediate Slaughter. Shipments into this state of cattle, swine and sheep for immediate slaughter shall be permitted without a health certificate only if such livestock enters this state at a point where inspection is maintained by federal or state authorities and only if such livestock is inspected by federal or state authorities at such point.

36-1411. Certificates of Health Issued by Whom; Tests Made by Whom; Regulations Governing. All certificates of health required under the provisions of this chapter shall be issued, and all tests shall be made by a federal or state veterinarian or a deputy state veterinarian, or by a graduate veterinarian whose inspections and tests are endorsed by the officer in charge of the livestock sanitary work in the state where the inspection or test is made, and subject to the regulations of the State Livestock Sanitary Board. All such tests must conform to the standard tests of the United States Department of Agriculture. All serums used shall be manufactured or approved by the United States Department of Agriculture.

36-1412. Regulations Governing the Issuance of Certificates. The certificate certifying to a test made under the provisions of this chapter shall be made on official federal or state blanks and shall accompany the shipment to its destination. When an original certificate is made, three copies thereof shall be mailed immediately to the State Livestock Sanitary Board. The failure of a veterinarian to mail such copies of each certificate relating to livestock to be shipped into this state to the board shall be sufficient cause to refuse acceptance of any more certificates from such person. The owner or owners of the livestock shall have a copy of the certificate to show on the demand of any federal or state official.

36-1413. Issuance of Health Certificates by Unauthorized Persons; Penalty. Any person who issues a health certificate for livestock within this state without being authorized so to do by the State Livestock Sanitary Board or by the United States Department of Agriculture is guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by im-

prisonment in the county jail for not less than ten days nor more than thirty days.

36-1414. Certificate of Health Required on Sale of Purebred Cattle and Nonregistered Bulls for Breeding Purposes. Before any person shall make delivery of any purebred cow or heifer or nonregistered bull over six months of age which has been, or is to be, sold for any purpose except slaughter, he shall notify the State Livestock Sanitary Board of the number of such animals he has sold or intends to sell and shall report the purebred name and registry number and the age and sex of each such animal. Any such animal which does not come from a negative herd in a modified accredited tuberculosis free county shall be tested with tuberculin under the direction of the board or by some person authorized by the board to make such tests. The board shall issue a certificate of health for each such animal which it finds to be free from disease, which certificate shall be valid for one year from the date of its issue, and the owner of the animal shall deliver the certificate to the purchaser thereof.

36-1415. Duty of State's Attorney To Bring Actions for Violation of Provisions of Chapter; Notice. If livestock is brought into this state in violation of any provision of this chapter or contrary to any rule or regulation of the State Livestock Sanitary Board, the State Veterinarian or other accredited agent of the board shall notify the State's Attorney of the county into which such livestock has been brought. Immediately upon receiving such a notice, the State's Attorney shall bring an action against any person, firm or corporation charged with bringing, transporting or importing livestock contrary to any provision of this chapter or of any rule or regulation of the State Livestock Sanitary Board.

36-1416. Failure to Restrain Infected Sheep a Misdemeanor. Every person who owns or has in charge any sheep infected with scab or other infectious or contagious disease and who:

1. Does not keep such sheep securely within some enclosure; or
 2. Drives or permits any such sheep to be driven upon any public highway, or within the distance of one mile from any such highway, or within the distance of six miles from any farm, corral, shed or other established headquarters where sheep are kept or herded,
- is guilty of a misdemeanor.

36-1417. Refusing to Allow Examination of Sheep Is Misdemeanor. Every person who is in

charge of any band of sheep that is being driven or kept within six miles of the headquarters where sheep belonging to any other person are kept or corralled and who fails, neglects or refuses upon demand by such other person or anyone in his employ, to stop such band and allow it to be examined, or to aid and assist in catching and examining the sheep therein, is guilty of a misdemeanor.

36-1418. Willfully Spreading Infection of Sheep Is a Felony; Penalty. Every person who willfully, either:

1. Carries or drives, or causes to be carried or driven, any sheep infected with scabies or any other infectious or contagious disease among sheep belonging to another; or
2. Carries or places, or causes to be carried or placed, the parasite which causes such disease where sheep not his own are being herded or corralled with intent that such sheep shall become infected thereby,

is guilty of a felony and shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years, or by a fine of not less than one hundred dollars, or by both such fine and imprisonment.

36-1419. Disposition of Carcasses of Animals Dying From Contagious or Infectious Disease. Any animal which is found dead shall be presumed to have died from a contagious or infectious disease until the contrary is shown unless another cause of death is apparent. The owner or person in charge of any domestic animal which dies within this state from or on account of any contagious or infectious disease shall dispose of the carcass of such animal as follows:

1. If the animal died of anthrax, as determined by an agent of the State Livestock Sanitary Board, the carcass shall be completely burned at the place where it died if possible. If the carcass must be moved, it shall not be dragged over the ground but shall be moved only on a suitable conveyor and all body openings in the carcass must be plugged with cotton saturated with a strong antiseptic solution;
2. If the carcass is of a hog which died from hog cholera or swine erysipelas, the same, with hide intact, must be burned within thirty-six hours or given to a licensed rendering plant within such time;
3. If the carcass is of an animal which has died of a disease other than is specified in subsections 1 and 2 of this section, it shall be burned, buried, or given to a licensed

rendering plant within thirty-six hours. If the carcass is buried, it shall be buried not less than four feet below the surface of the ground and covered with dirt to that depth. No carcass shall be disposed of along any public highway or along any stream, lake or river nor be buried near or adjoining any such place.

36-1420. Duty of Overseer of Highways or Coroner When Carcasses of Dead Animals Are Found; Fees; Recovery of Expense. If the owner or person in charge of a dead animal shall fail to comply with the provisions of section 36-1419, the overseer of highways or the county coroner in a district which has no overseer, shall cause such section to be complied with. If burial of the animal is permitted, such burial may be made upon the premises of the owner or person in charge thereof at any place more than one thousand feet from any dwelling house or barn. The Board of County Commissioners shall allow such sums for such services as it shall deem to be reasonable and the same shall be paid as other moneys are paid for services rendered to the county. The owner of the animal shall be liable to the county for any amount paid out for such services and if the owner does not pay such amount within thirty days after written demand therefor is made upon him by the county auditor, the same may be recovered in a civil action and the judgment shall include the costs of the suit and a reasonable attorney's fee, not exceeding twenty-five dollars, to be fixed by the court. No property except absolute exemptions shall be exempt from sale for the payment of any such judgment. Any attorney's fee allowed by the court shall be paid to the county if the action is brought by the State's Attorney.

36-1421. Penalty for Violating Provisions of Chapter. Any person, firm or corporation who shall bring, convey, carry or transport livestock into or in this state in violation of any provision of this chapter or in violation of any rule or regulation of the State Livestock Sanitary Board, or who shall violate any provision of this chapter for which another penalty is not provided, or who shall fail to observe any of the provisions of this chapter, shall be guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars or by imprisonment in the county jail for not less than thirty days nor more than ninety days.

36-1422. Civil Action for Damages. Every person violating any of the provisions of this

chapter shall be liable in a civil action to any person injured by such violation for all damages directly or indirectly suffered thereby.

36-1501. Definitions. In this chapter, unless the context or subject matter otherwise requires:

1. "Animals" shall mean meat cattle;
2. "Board" shall mean the State Livestock Sanitary Board;
3. "Diseased," when used to describe any animals, shall mean animals infected with either bovine tuberculosis or Bang's disease; and
4. The singular of any term shall import the plural and the plural of any term shall include the singular.

36-1502. Notice of Condemnation of Diseased Animal. Whenever any animal has been adjudged by the board to be infected with bovine tuberculosis or Bang's disease, such board or its authorized agent shall serve a written notice of its decision upon the owner or keeper of the animal before the condemned animal is killed. Such notice shall advise the owner or keeper of his right to protest against the diagnosis and determination of the board within twenty-four hours after the service of the notice upon him. If no protest is made within such time by the owner or keeper of the condemned animal, it shall be appraised in the manner provided in this chapter.

36-1503. Animal Condemned as Diseased To Be Appraised by Board; Notice to Owner. Whenever any animal has been adjudged to be diseased and ordered killed by the board, the board or its authorized agent, within twenty-four hours after the entry of such order and before the animal has been killed pursuant thereto, shall determine the actual value of the same. Notice of the appraisal shall be given to the owner or keeper of the animal.

36-1504. Protest of Board's Appraisal; Board of Appraisers Appointed; Appraisal To Be Final. If the owner of any animal which is condemned to be killed under the provisions of this chapter, or his agent, is not satisfied with the appraisal by the board or its agents, he may protest against the same and a board of three appraisers shall then be formed. One member of the board of appraisers shall be the agent of the board, one member shall be selected by the owner of the animal involved and the third member shall be selected by the first two members. An appraisal of the animal shall be made by the board of appraisers according to section 36-1505 and if

two or more of the appraisers agree upon a certain valuation, such appraisal shall be final.

36-1505. Maximum Valuations of Diseased Animals. The appraised value of diseased animals shall not exceed the following amounts:

1. A grade animal under two years of age shall not be valued at more than forty dollars;
2. A grade animal two years of age or over shall not be valued at more than eighty dollars;
3. A purebred animal under two years of age shall not be valued at more than seventy-five dollars; and
4. A purebred animal two years of age or over shall not be valued at more than one hundred fifty dollars.

Before any animal can be appraised as a purebred animal, it must be accompanied by a certificate of registration in a recognized herd book.

36-1506. Fees of Appraisers; How Paid. Each member of the board of appraisers who is not connected with the board shall be entitled to one dollar per day for his services. Such compensation shall be paid out of the fund created for the purpose of carrying out the provisions of this chapter upon presentation of vouchers to the state auditor duly approved by the board.

36-1507. Owner of Condemned Animal May Protest Diagnosis of Board. Within twenty-four hours after receipt of the notice of the determination of the board or its authorized agent that an animal is diseased and ordered killed, the owner of the animal or his agent may file a protest against the diagnosis of the board. Any person filing such protest shall be entitled to a consultation in accordance with the provisions of sections 36-0114 and 36-0115.

36-1508. Owner Entitled to Compensation for Animal Infected With Tuberculosis or With Bang's Disease; Livestock Sanitary Board May Make Regulations Governing Payments. The owner of an animal adjudged by the board to be infected with tuberculosis or with Bang's disease and appraised in accordance with the provisions of this chapter shall be entitled to the amount specified in this chapter. The board may make reasonable rules and regulations governing the payment of such compensation within the limitations prescribed in this chapter.

36-1509. Return of Appraisement; Payment of Claims for Diseased Animals. The return of an appraisement made under the provisions of this

chapter shall be in writing and signed by the board or by the agent thereof which made the appraisement or by the members of the board of appraisers if a reappraisement is made after a protest and by the owner of the condemned animal. The return shall be certified by the Executive Officer of the board to the State Auditor who shall draw a warrant upon the State Treasurer in favor of the owner of the animal. The amount of indemnity paid by this state, however, shall not exceed:

1. In the case of an animal condemned because it is infected with tuberculosis, one-third of the difference between the appraised value of the animal and the net value of the salvage received by the owner unless the federal government fails to provide an amount of indemnity equal to that provided by the state, in which case, the owner shall be paid one-half of the difference between the appraised value of the animal and the net value of the salvage thereof;
2. In the case of an animal condemned because it is infected with Bang's disease, one-third of the difference between the appraised value of the animal and the net value of the salvage received by the owner, but not to exceed nine dollars for a grade animal nor fifteen dollars for a purebred animal unless the federal government fails to provide an amount of indemnity equal to that provided by the state, in which case, the owner shall be paid one-half of the difference between the appraised value of the animal and the net value of the salvage thereof, but not to exceed fourteen dollars for a grade animal nor twenty-three dollars for a purebred animal.

This state shall not be liable for indemnity under the provisions of this chapter in excess of the amount appropriated for the payment of such indemnity by the legislative assembly and shall not be liable for indemnity for any animal killed during a biennium after the appropriation for such biennium has been exhausted.

36-1510. Salvage To Be Deducted From Amount Paid to Owner of Condemned Animal. Any money realized from the sale of the whole or any part of a diseased animal killed under the provisions of this chapter may be paid to the owner of the condemned animal and the amount thereof deducted from the appraised value of such animal.

36-1511. Owner of Diseased Animals May Not Be Indemnified; When. The right of the owner of a diseased animal to be indemnified shall not

exist and payment shall not be made in the following cases:

1. For an animal belonging to the United States or to this state or to any county, city, township, or village in this state;
2. When the owner at the time of coming into possession of the animal knew or suspected it to be diseased;
3. For an animal found to have been diseased at the time of its arrival in this state;
4. When the owner is a nonresident and not engaged in the breeding of livestock in this state;
5. When the animal at the time of its killing had been in this state for less than six months;
6. When the owner of an animal which was killed because of infection with tuberculosis shall have been guilty of negligence by willfully exposing his animal to the infection of such disease; or
7. When the owner of an animal which was killed because of infection with Bang's disease shall have been guilty of negligence by willfully exposing his animal to Bang's disease or if he previously has injected live Bang's disease organisms into his cattle in the form of so-called Bang's disease vaccines.

36-1512. Bovine Tuberculosis Fund and Bang's Disease Fund To Be Maintained. There shall be maintained in the office of the State Treasurer:

1. A bovine tuberculosis fund; and
2. A Bang's disease fund

for the purpose of carrying out the provisions of this chapter. Such funds shall consist respectively of the moneys appropriated thereto from time to time by the legislative assembly.

36-1513. Testing of Cattle in Township for Bovine Tuberculosis and for Bang's Disease; Petition. The board may enforce the tuberculin testing or the Bang's testing of all cattle in a township in accordance with the provisions of this chapter providing for the eradication of bovine tuberculosis or Bang's disease, as the case may be and the rules and regulations of the board relating thereto when:

1. In the case of tuberculin testing, the board is petitioned to apply such test to all cattle within such township by a petition signed by a majority of the resident freeholders or livestock owners within such township; or
2. In the case of Bang's testing, the board is petitioned to apply such test to all cattle

within such township by a petition signed by not less than seventy-five percent of the resident freeholders or livestock owners within such township.

When an entire township is tested by the board pursuant to the provisions of this section, the provisions of this chapter relating to reimbursement of the owners of slaughtered diseased animals shall apply.

36-1514. Cattle Not To Be Permitted to Enter Area Circumscribed by Board for Testing Purposes. Whenever a circumscribed area is established by the board as an area in which all cattle are to be tuberculin tested or Bang's tested, as the case may be and such test is undertaken under the direction of the board, no other cattle shall be permitted to enter such area except under a special permit and restrictions provided by the board unless:

1. If the area is to be tuberculin tested, such cattle have been tuberculin tested under the direction of the board or are accompanied by a proper tuberculin tested health certificate; or
2. If the area is to be Bang's tested, such cattle have been Bang's tested under the direction of the board or are accompanied by a proper Bang's test health certificate.

36-1515. Testing for Tuberculosis or for Bang's Disease Without Petition; When Permitted. The board may enforce the testing of all cattle within a county even though a petition therefor has not been filed:

1. For tuberculosis, when it has determined that the cattle in a majority of the townships in the county have been tuberculin tested; or
2. For Bang's disease, when seventy-five percent or more of the townships in the county have been completely Bang's tested.

36-1516. Transportation to Agents of Board May Be Furnished by County or Township. The Board of County Commissioners or the Board of Township Supervisors may provide transportation for official inspectors between stations and between different herds of cattle when such inspectors are engaged in making tuberculin tests or Bang's tests within the county or township, as the case may be, pursuant to the provisions of sections 36-1514 and 36-1515.

36-1517. Tuberculin Testing of Entire County May Be Enforced Under Certain Conditions. The board and its agents may enforce the tuberculin testing of all cattle in a county under the pro-

visions of this chapter relating to the eradication of bovine tuberculosis when such county lies adjacent on two sides to counties:

1. In which all cattle have been tuberculin tested; and
2. Which have been established by federal and state authorities as modified accredited tuberculosis-free counties.

When tuberculin testing is undertaken by the board and its agents under the provisions of this section, the Board of County Commissioners of the county being tested shall provide funds for the transportation between the different farms of the official veterinarians acting as agents of the board in making such tests.

36-1518. Retesting in Modified Accredited Tuberculosis-Free County. When the board shall notify the Board of County Commissioners of any modified accredited tuberculosis-free county in this state that the cattle in such county shall be retested to conform to federal and state regulations governing the reaccrediting of counties, such Board of County Commissioners may provide such funds as may be necessary to do such retesting.

36-1519. Penalty for Violation of Provisions Relating to Testing of Livestock. Any person who shall refuse to assist the board or its agents in, or who endeavors to prevent the board or its agents from carrying out the provisions of this chapter or who shall violate any of the provisions of this chapter relating to the testing of cattle, shall be guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars or by imprisonment in the county jail for not less than thirty days nor more than ninety days or by both such fine and imprisonment.

36-1601. Possession of Glandered Animal Prohibited; Animal To Be Destroyed. Any person who shall own, possess or in any manner keep, use or control any horse, gelding, stallion, mare, ass or mule which is infected with glanders shall be guilty of a misdemeanor. All such diseased animals shall be destroyed summarily as provided in this chapter.

36-1602. Proceedings When State Livestock Sanitary Board Orders Animal Killed Because of Infection With Glanders or Dourine. Whenever the State Livestock Sanitary Board or any of its authorized agents shall determine, under the powers granted to such board by section 36-0112, that it is necessary to kill any horse, gelding,

stallion, mare, ass or mule because the same is infected with either glanders or dourine, the actual value of such animal shall be determined by the board or its agent within twenty-four hours after the killing or destruction is ordered and the owner or keeper of the animal shall be notified in writing of such order and of such appraisal. If such owner or keeper is aggrieved by such appraisal, he may have the animal reappraised in the manner provided in section 36-1504 and such reappraisal shall be final. The owner or keeper of the animal may protest against the killing thereof as ordered by the board in the manner provided in section 36-0114, and if such protest is made, proceedings shall be had as specified in such section and the costs of the consultation shall be paid as provided in section 36-0115.

36-1603. Maximum Valuations of Animals Condemned Because of Glanders or Dourine.

The appraised value of an animal condemned for infection with glanders or with dourine shall be determined by the actual market selling price of such animal had it not been so infected but not exceeding the applicable amount following:

1. A grade stallion, gelding, mare, ass or mule shall not be valued at more than one hundred dollars; and
2. A purebred registered stallion, mare or jackass shall not be valued at more than one hundred fifty dollars.

36-1604. Certification by State Livestock Sanitary Board to Justice of the Peace. The State Livestock Sanitary Board or its authorized agent who ordered the destruction of any animal infected with glanders or dourine and who made or took part in the appraisal of the same, shall certify the facts in writing to a justice of the peace of the county in which the animal is located.

36-1605. Duty of Owner or Keeper After Receiving Notice of Destruction. Within five days after the notice to destroy an animal because the same is infected with glanders or dourine has been served upon him, the owner or keeper of such animal shall:

1. Destroy the animal or cause the same to be destroyed;
2. Dispose of the carcass of the animal or cause the same to be disposed of before two witnesses or before the agent of the State Livestock Sanitary Board in the manner prescribed by the board; and
3. Make an affidavit of the destruction and disposal of such animal which affidavit

shall be sworn to also by the witnesses or agent of the State Livestock Sanitary Board, before the justice of the peace to whom the certificate provided for in section 36-1604 was made.

36-1606. Failure of Owner or Keeper to Comply With Destruction Order: Duty of Justice of the Peace. If the owner or keeper of an animal which has been ordered destroyed by an agent of the State Livestock Sanitary Board shall fail to comply with such order and to file with the justice of the peace the affidavit of the destruction and disposal of the animal, the justice of the peace to whom the certification was made shall notify the sheriff or any constable within the county that the order of the board or its authorized agent was not complied with. The failure to make and file the affidavit as provided in section 36-1605 shall constitute a non-compliance with the provisions of this chapter.

36-1607. Duty of Sheriff or Constable to Destroy Animal; Compensation. Immediately after receiving the notice from the justice of the peace, the sheriff or constable shall proceed to destroy the animal ordered to be destroyed by the State Livestock Sanitary Board or its authorized agent. The officer performing such duty shall receive the same mileage as is allowed to the sheriff under the provisions of this code.

36-1608. Payment of Claims for Animals Condemned for Glanders or Dourine. The justice of the peace shall file with the Executive Officer of the State Livestock Sanitary Board the certificate made to him by the board or by the authorized agent thereof and the affidavit of the destruction and disposal of an animal which was killed because the same was infected with glanders or dourine. The Executive Officer shall record the certificate and affidavit upon his docket and shall certify the same to the State Auditor who shall issue a warrant upon the State Treasurer against the glanders and dourine horse fund in favor of the owner of the animal after the claim has been approved by the State Auditing Board. The amount of indemnity paid by this state shall not exceed:

1. In the case of an animal condemned because it is infected with glanders, two-thirds of the sum named in the return of the appraiser or appraisers placing the valuation upon the animal; and
2. In the case of an animal condemned because it is infected with dourine, one-half of the sum named in the return of the

appraiser or appraisers placing the valuation upon the animal.

36-1609. Justice of the Peace To Keep Record of Proceedings and Tax and Certify Fees and Costs. The justice of the peace to whom a certificate is made by the State Livestock Sanitary Board or its authorized agent under any provision of this chapter shall:

1. Enter in his docket a record of any such certificate and the proceedings had in connection therewith;
2. Tax all costs of the justice of the peace and all fees of officers other than of an authorized agent of the State Livestock Sanitary Board; and
3. Certify all costs and fees taxed in any such proceeding to the Board of County Commissioners.

36-1610. Payment of Fees and Costs. The fees and costs in a proceeding brought under the provisions of this chapter as certified by the justice of the peace shall be audited by the Board of County Commissioners and paid by the county in the same manner as costs are paid in a criminal action before a justice of the peace. If it shall appear that the animal which was destroyed pursuant to an order entered in a proceeding brought under the provisions of this chapter had not been kept within the county for at least sixty days immediately prior to the filing of the certificate, the County Auditor shall certify the costs and fees paid by the county to the State Auditor, who shall issue his warrant on the State Treasurer for the amount thereof in favor of the county and such warrant shall be paid out of the glanders and dourine horse fund.

36-1611. Glanders and Dourine Horse Fund To Be Maintained. There shall be maintained in the office of the State Treasurer a glanders and dourine horse fund for the purpose of carrying out the provisions of this chapter. Such fund shall consist of the moneys appropriated thereto from time to time by the legislative assembly and shall be used only for the payment of allowances therefrom in connection with the destruction of animals for either glanders or dourine.

36-1612. Owner of Animal Destroyed for Glanders or for Dourine not Entitled to Indemnity; When. The right of indemnity shall not exist and payment shall not be made for an animal killed because the same was infected

with glanders or with dourine in the following cases:

1. For an animal belonging to the United States or to this state or to any city, county, township or village in this state;
2. When the owner at the time of coming into possession of the animal knew it to be diseased with glanders or dourine, as the case may be or to have been exposed to such disease;
3. When the owner or his agent failed to make an affidavit of the destruction and disposal before the justice of the peace as provided in section 36-1605;
4. For an animal found to have been diseased at the time of its arrival in this state;
5. For an animal brought into this state to do contract work;
6. When the animal at the time of its destruction has been in this state less than six months;
7. When the owner or owners of the animal shall have been guilty of negligently or willfully exposing such animal to the influence of infected animals or of infected or contaminated surroundings; or
8. When the owner or claimant is not a resident of this state.

36-1613. State Livestock Sanitary Board May and in Certain Instances Shall Test for Glanders.

The State Livestock Sanitary Board may test or cause to be tested any horse, mule or ass which may have been exposed to glanders. When requested to do so by the Board of Township Supervisors of any organized township or by the Board of County Commissioners of any county, the State Livestock Sanitary Board shall test or cause to be tested all horses, mules and asses in such township or county, as the case may be:

1. Which shall have been exposed to glanders; or
2. Which are designated by the Board of Township Supervisors or by the Board of County Commissioners.

The resolution requesting the test shall specify whether the test shall be made under subsection 1 or under subsection 2 of this section.

36-1614. Payment of Fees for Glanders Tests Made by State Livestock Sanitary Board; Exception. An agent of the State Livestock Sanitary Board shall be paid such fees, not exceeding five dollars per day and actual expenses, as may be determined by the board for making glanders tests pursuant to the provisions of

section 36-1613. Itemized accounts for such testing together with detailed reports thereof shall be submitted by the agent to the board and when the same have been audited and approved by the board, shall be forwarded to the Board of County Commissioners of the county in which said testing was performed. The Board of County Commissioners shall order warrants drawn by the County Auditor for one-half of the amount of the approved account, and the remaining one-half of such account shall be paid on order of the State Livestock Sanitary Board from funds appropriated to it so long as there are moneys available for such purposes.

36-1615. Payment of Fees for Glanders Tests Made by State Livestock Sanitary Board When Board's Appropriation Is Exhausted. If the State Livestock Sanitary Board, by reason of the fact that its appropriation for such purposes is exhausted, is unable to pay its part of the fees for the making of glanders tests as provided in section 36-1614, the owner of any animal exposed to glanders may have such animal tested under the direction of the board and the expenses of such testing shall be borne in equal shares by the owner of the exposed animal and the county wherein such owner resides.

36-1801. Serum Institute: Maintenance; Control and Regulations of; Director of. A serum institute shall be maintained at the State Agricultural College. The institute shall be under the control and regulation of the State Board of Higher Education, and the Professor of Veterinary Science of the Agricultural College shall be its director.

36-1802. Duties of Director of Serum Institute. The director of the serum institute shall manufacture or cause to be manufactured vaccines, serums and other agents for the prevention, eradication, cure and control of tuberculosis, glanders, hog cholera, blackleg and other infectious or contagious diseases of livestock.

36-1803. Distribution of Vaccines and Serums to Citizens and Residents. The director of the serum institute shall distribute or cause to be distributed free of charge to citizens and residents of this state, the vaccines, serums and other agents upon an application therefor showing that the issue of such vaccines, serums and other agents is warranted by existing conditions and upon such conditions as may be prescribed by the State Livestock Sanitary Board.

36-1804. Sale of Serums or Vaccines Prohibited; Penalty. Any person who shall sell any

serum, vaccine or other agent received from the serum institute or who shall offer the same for sale, shall be guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars.

36-1901. County May Establish Public Dipping Stations on Petition. Upon the presentation to the Board of County Commissioners of any county in this state of a petition signed by ten percent or more of the freeholders of the county petitioning for the establishment and construction of public dipping stations for the dipping of live-stock within such county, such board may proceed to establish and construct public dipping stations at convenient places within the county. The cost of construction shall be paid by the county out of funds available for such purpose and if no funds are available, a levy shall be made for the purpose by the Board of County Commissioners when the next general tax levy is made.

36-1902. Township To Vote on Question of Establishment of Dipping Station on Petition. If a petition signed by six or more resident freeholders of a township asking for the establishment and construction of a dipping station within the township is presented to the Board of Township Supervisors, the board shall submit the question of establishing a dipping station to the electors of the township at the next annual township meeting.

36-1903. Form of Ballot To Be Used at Township Election on Question of Establishing Dipping Station. The ballot to be used at a township election on the question of the establishment of a dipping station shall be in substantially the following form:

Shall a township dipping station be established and maintained?

☐ Yes
☐ No

36-1904. Construction of Township Dipping Station. If a majority of the ballots cast on the question are in favor of the establishment and maintenance of a township dipping station, the Board of Township Supervisors shall proceed to construct and maintain a dipping station at a place within the township which will be convenient and accessible to the residents of the township. The cost of construction shall be paid from the Township Treasury.

36-1905. Dipping Stations To Be Constructed on Co-operative Basis. When a dipping station

is established by a county or by a township under the provisions of this chapter, the construction work thereon, insofar as possible, shall be done by the farmers and livestock owners of the county or township, as the case may be, on a cooperative basis and credit against dipping charges shall be given to such farmers and livestock owners for necessary labor performed by them in the construction of the station.

36-1906. Operation of Dipping Stations; Formula for Dipping Solution. After the establishment of a dipping station under the provisions of this chapter, the Board of County Commissioners or the Board of Township Supervisors, as the case may be, shall appropriate the necessary funds for the purchase of materials and chemicals required in the operation of the station so long as it is maintained. The dipping solution used shall be that prescribed by the rules and formulas adopted by the United States Bureau of Animal Industry.

36-1907. Dipping Fees May Be Charged. The Board of County Commissioners for a dipping station maintained by the county or the Board of Township Supervisors for a dipping station maintained by the township, may levy a pro rata dipping fee upon the users of the dipping station, but such fee shall not exceed the actual cost to the county or to the township, as the case may be, of the construction and operation of the station. Any dipping fee so levied shall be paid in cash when any animal is dipped in the station and shall be paid to the County Treasurer or Township Treasurer, as the case may be, and accounted for in the same manner as other county or township receipts are accounted for.

36-0501. Definitions. In this chapter, unless the context or subject matter otherwise requires:

1. "Livestock" shall mean horses, mules, cattle, swine, sheep and goats;
2. "Livestock sales ring" shall mean a place or establishment conducted or operated for compensation or profit as a public market, consisting of pens or other enclosures and their appurtenances, in which livestock is received, held or kept for sale and where such livestock is sold or offered for sale at either public auction or private sale; and
3. "Commission" shall mean the Public Service Commission.

36-0502. Premises Excluded From Application of Chapter. The provisions of this chapter shall not apply to:

1. Any place used solely for the dispersal sale of the livestock of a farmer, dairyman, livestock breeder or feeder who is discontinuing his business;
2. The premises of any butcher, packer or processor who receives animals exclusively for immediate slaughter; or
3. Any place where any individual or any duly constituted association of breeders of livestock of any class assembles and offers for sale and sells under his or its management registered livestock or breeding sires if such individual or association assumes all responsibility of the sale, guarantees title of such livestock and makes proper provision for the inspection of all animals sold.

36-0503. License Required: Application: Fee.

No person, partnership, firm or corporation shall establish or operate a livestock sales ring within this state without first procuring a license to do so from the commission. An applicant for such license shall:

1. Make a written application therefor in the form prescribed by the commission;
2. File with the commission a statement showing that he or it is financially responsible to operate such a sales ring and that he or it owns or controls adequate facilities for the care, sorting, feeding, loading and unloading and shipment of livestock; and
3. Pay to the commission a license fee of one hundred dollars.

36-0504. Bond to Accompany Application for License; Amount; Approval; Conditions; Term.

Each applicant for a license to operate a livestock sales ring shall file with his application for such license, or for a renewal thereof, a surety bond in the penal sum of ten thousand dollars. Such bond shall be approved as to amount, form and surety by the commission. The commission shall be the obligee in the bond and it shall be for the benefit of and for the purpose of protecting, any person selling to or through or buying livestock through or from the licensee or his or its agent. The bond shall be conditioned for:

1. The payment of all money received by the licensee and operator of such livestock sales ring as such operator less reasonable expenses and agreed commissions;
2. The faithful performance by the licensee of his duties as such licensee; and
3. The faithful performance by the licensee of all the provisions of this code relating

to the purchase, sale or holding of livestock.

Such bond shall cover the entire license period.

36-0505. Expiration and Renewal of License; Fee Returned Upon Failure to Issue or Renew License. Each license issued under the provisions of this chapter shall expire on the thirty-first day of January next following the date of issuance thereof. Each license shall be renewed annually on or before January thirty-first. The fee for a renewal license shall be the same as that prescribed for an original license. If the commission does not issue a requested original license or renewal license, the fee paid shall be refunded to the applicant.

36-0506. Investigation of Sales Ring; Hearing Conducted to Determine Whether License Should Be Issued or Revoked. The commission, upon its own motion or upon a complaint by any person, may enter into an investigation of the sales and transactions of any livestock sales ring and of the conditions under which its business is conducted. The commission, when it deems it necessary, may conduct a hearing to determine whether the license of any sales ring should be revoked or whether the application of the owner or operator of a livestock sales ring for an original or renewal license should be denied.

36-0507. Sanitary Regulations of Livestock Sales Ring. Every livestock sales ring shall be maintained in a sanitary condition. Any portion thereof used for the handling of hogs, including all hog pens, alleys and sales rings, shall be equipped with concrete floors at least three inches thick. Such floors shall be cleaned and disinfected after each sale, or in case of a continuous sale, not less than once each week or as often as may be prescribed by the State Livestock Sanitary Board.

36-0508. Scales Maintained by Sales Ring To Be Inspected. All scales used in the operation of a livestock sales ring shall be tested and inspected by the Department of Weights and Measures in the manner provided in this code. All livestock sold by weight shall be weighed on such scales and the purchaser and seller of such livestock shall be furnished with a true and correct statement of such weight.

36-0509. Records To Be Kept by Operator of Sales Ring; Contents; Examination. The operator of each livestock sales ring shall keep on file an accurate record of:

1. The date on which each consignment of animals was received and sold;

2. The name and address of the buyer and seller of such animals;
3. The number and species of the animals received and sold; and
4. The marks and brands on each such animal.

Such record, together with the gross selling price, commission and other proper care, handling and sales charges on each consignment of livestock shall be available for inspection by the commission or its authorized inspector and a copy thereof shall be supplied to the owner of such livestock. All records of sales during the preceding twelve months shall be kept readily accessible for immediate examination.

36-0510. Inspection of Livestock: Fees and Regulations Governing. When an animal enters a livestock sales ring and before it is offered for sale, it shall be inspected for health and brands. Such inspection shall be made by a veterinarian approved by the State Livestock Sanitary Board whether the livestock is moved interstate or intrastate. The fees for such inspection and the manner of payment thereof shall be established by rules and regulations adopted by the State Livestock Sanitary Board.

36-0511. Treatment Administered to Livestock Before Removal From Sales Ring; Fees for Inspection and Treatment. No operator of a livestock sales ring shall permit the removal of any livestock from the establishment until such livestock has been treated in accordance with the rules and regulations prescribed by the State Livestock Sanitary Board. The authorized veterinarian of such board shall furnish to each purchaser a certificate showing that inspection has been made and treatment administered as provided by the rules and regulations of the State Livestock Sanitary Board. If livestock is destined to be shipped interstate, the certificate shall show that it has been inspected in accordance with the requirements of the state of destination. All fees for veterinary inspection, treatment and services, including brand inspection, shall be collected by the operator of the livestock sales ring and paid to the inspector.

36-0512. Operator to Warrant Title to Purchaser; Dispute in Title of Animal Sold. The operator of each livestock sales ring shall warrant to the purchaser the title of all livestock bought by him through such sales ring and shall be liable to the rightful owner of any livestock sold through the sales ring for the net proceeds in cash received therefor. If the operator of a sales ring is notified by an authorized brand inspector that there is a question as to

whether or not any designated livestock sold through such ring is lawfully owned by the consignor thereof, such operator shall hold the proceeds received from the sale of the livestock for a reasonable time, not to exceed sixty days, to permit the consignor to establish ownership. At the expiration of such time, if the consignor fails to establish his lawful ownership of the livestock to the satisfaction of the brand inspector, the proceeds shall be transmitted by such operator to the commission and the commission shall dispose of the same to the rightful owner in accordance with the provisions of this code.

36-0513. Use of Fees Collected by Commission: Grounds for Refusal or Revocation of License; Procedure on Revocation and on Default of Licensee. All fees collected by the commission under the provisions of this chapter shall be deposited and disbursed in accordance with the provisions of section 36-0409. A license to operate a livestock sales ring may be refused or revoked for any of the reasons specified in section 36-0410 and the provisions of section 36-0411 shall apply to the revocation of licenses issued under the provisions of this chapter. The provisions of sections 36-0412 to 36-0419, both inclusive, shall apply when the holder of a license issued under the provisions of this chapter shall default in any of the conditions of any bond filed with the commission by such licensee.

36-0514. Penalty for Violation of Provisions of Chapter; Penalty for a Second Violation. Any person who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment. Every person who shall violate any of the provisions of this chapter after having been convicted previously of a violation of any provision thereof shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for not less than thirty days nor more than one year or by both such fine and imprisonment.

36-0701. License Required to Operate Rendering Plant. No person, firm or corporation shall operate a rendering plant or establishment using the carcasses of domestic or wild animals which are not intended for human consumption without first obtaining a license to do so from the State Livestock Sanitary Board. Such license* shall be issued only upon a written application filed with the board in accordance with the provisions

of this chapter and such rules and regulations as may be established by the board.

36-0702. Inspection of Establishment of Applicant by State Livestock Sanitary Board. Upon the receipt of an application for a license to operate a rendering plant, the State Livestock Sanitary Board shall cause an inspection to be made of the establishment for which a license is requested, including its equipment and vehicles and the manner in which its business is conducted, with reference and due regard to the danger of disease transmission and dissemination.

36-0703. Granting of License; Fee; Term. If the inspection fails to reveal any danger of disease transmission, the State Livestock Sanitary Board shall issue the license applied for upon payment of a fee of fifty dollars. Such license shall remain valid for a period of one year from the date of issuance unless it is revoked for cause by said board before such time.

36-0704. Sanitary Requirements of Rendering Establishment. No rendering establishment or plant shall be deemed sanitary unless it conforms to the following specifications:

1. All floors must be made of concrete;
2. All openings must be screened to prevent the entrance of flies and insects;
3. The building must be provided with good drainage and be thoroughly sanitary in every respect; and
4. All collecting vats or tanks shall be air tight except for proper escapes for live steam for cooking and such steam shall be reverted into a tank of water or into a firebox so as not to become an unnecessary annoyance or nuisance.

36-0705. Disposal of Waste and Sewage From Rendering Plants. No liquid waste, either from the rendering process or from washing, shall be discharged into any stream or water place or upon the surface of the ground, nor shall such liquid waste be discharged in any manner which will contaminate any water supply or make the same unfit for human or livestock use. All sewage from washing floors and vehicles and liquid waste from the rendering process shall be disposed of in a manner satisfactory to the state livestock sanitary board. A rendering establishment which is situated so that all its waste can be disposed of into a city disposal plant may so dispose of it if permission is granted by the city. No such permit shall be granted by any city to any such plant or establishment which

comes into existence after March 17, 1941, unless the same is equipped for dry rendering.

36-0706. Situation and Conduct of Rendering Plants Not to Interfere With Comfort or Property of Citizens. All rendering plants and establishments shall be situated and conducted in such a manner as not to interfere with the comfort or property of the citizens of this state.

36-0707. Unloading Chutes and Vehicles Used by Rendering Plant; Regulations Governing. All unloading places or chutes used by a rendering plant or establishment must be on cement floors which can be cleaned and disinfected. Every vehicle used for transporting carcasses of dead animals to a rendering plant or establishment shall:

1. Be provided with a bed or tank not less than fifty inches in width which is all metal, metal lined or watertight for at least six inches above the floor of the box or bed;
2. Have a metal lined endgate which is hinged at the bottom of the bed or box and is fastened firmly to the top of the bed or box when closed;
3. Be so constructed that the sides, top and endgate thereof will prevent flies and other insects from entering the vehicle;
4. Carry a tank filled with a four percent solution of creosol for use as a disinfectant or other disinfectant as prescribed by the rules and regulations adopted by the State Livestock Sanitary Board;
5. Be disinfected with the solution described in subsection 4 after it has been used for collecting a dead animal at a farm and before it enters upon any public highway of this state and special attention shall be given to all those parts of the vehicle which came in contact with the ground while upon the premises; and
6. Be thoroughly washed and disinfected with the solution described in subsection 4 or with live steam, or both, after it has been unloaded at the rendering plant.

The operator of any such vehicle shall disinfect himself, paying special attention to his hands and footwear, with the solution described in subsection 4 immediately after leaving any farm at which he has collected the carcass of a dead animal.

36-0708. Carcasses To Be Removed From Vehicle Only at a Rendering Plant. No carcass collected at any farm in this state shall be

removed from the vehicle except at the rendering plant for final disposal.

36-0709. Operator of Vehicle for Rendering Plant To Have Certificate. Any person operating a vehicle for a licensed rendering establishment shall have an authorized certificate from the rendering establishment which has been approved by the State Livestock Sanitary Board.

36-0710. Inspection of Rendering Plant Authorized. The operator of any rendering establishment shall permit an official authorized by the State Livestock Sanitary Board or any health officer to inspect his establishment at any time.

36-0711. Rendering Done in Connection With Packing Plant Operations. Any rendering done in connection with regular packing plant operations under federal inspection shall be exempt from the provisions of this chapter.

36-0712. Money Collected To Be Credited to State Livestock Sanitary Board. Money collected under this chapter shall be deposited with the State Treasurer to the credit of the State Livestock Sanitary Board and shall be paid out and disbursed only pursuant to an appropriation first made by the legislative assembly.

36-0713. Restrictions on Rebuilding and Locating Rendering Plants. No rendering plant or establishment shall be constructed within three miles of the limits of any municipality nor within one mile of any farmstead. No such plant which was in existence and operation on March 17, 1941, shall be rebuilt if it is located within three miles of the limits of any municipality.

36-0714. Penalty for Violation of Chapter. Any person, firm or corporation and any employee thereof, violating any of the provisions of this chapter is guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

Source: Book 4, North Dakota Revised Code of 1943, beginning Page 2489.

Regulation No. 1

REGULATION PERTAINING TO THE IMPORTATION OF LIVESTOCK, DOGS AND POULTRY INTO THE STATE OF NORTH DAKOTA

(Revised January 17, 1945)

Section 1. Horses, Mules and Asses.) All horses, mules and asses, imported into the State of North Dakota must be accompanied by a

health certificate, certifying that said animals have been given a physical examination and found to be free from symptoms of all contagious, infectious or transmissible diseases.

All stallions imported into the State of North Dakota must also be accompanied by a certificate of soundness, certifying that said animals are free from all contagious, infectious or transmissible diseases, or unsoundness, as provided in Section 36-0319 of the North Dakota Revised Code of 1943.

Section 2. **Cattle.**) All cattle imported into the State of North Dakota must be accompanied by a health certificate, certifying that said animals are free from symptoms of contagious, infectious or communicable diseases.

All cattle imported into the State of North Dakota that are to be used for dairy, breeding or exhibition purposes must be tuberculin tested within a period of thirty days of date of shipment, unless the cattle originate from an accredited tuberculosis-free herd or from a herd in a modified accredited tuberculosis-free area, in which the entire herd has passed a negative tuberculin test within three years prior to entry, and a record of the last official test, including the name and address of the veterinarian making the test, indicated on the health certificate. Such cattle must be apparently healthy and free of any indication of scabies, and be properly identified, including a record of a satisfactory negative agglutination blood test for brucellosis within thirty days prior to date of entry or originate from an accredited brucellosis-free herd or from a herd in the process of accreditation, providing not less than two negative blood tests have been made within a period of twelve months, the last test having been made within six months prior to date of entry. Unvaccinated calves under six (6) months of age will not be required to be blood tested prior to entry, provided they are identified as the progeny and come directly from negative or accredited brucellosis-free herds.

Heifers under eighteen months of age that have been officially vaccinated with Brucella Abortus Vaccine Strain 19 may be imported into North Dakota on a special permit from the State Veterinarian, providing all other health requirements have been complied with, except a negative test for brucellosis. The health certificate must include the name and address of the veterinarian who administered the vaccine and a statement that all calves were under eight months of age at the time of vaccination and originate from a herd free of brucellosis.

All cattle for feeding purposes must be accompanied by a health certificate, certifying that they have been tuberculin tested or originated from a negative herd in a modified accredited tuberculosis-free area or from a herd not in quarantine in a range or semi-range modified accredited tuberculosis-free area in which not less than 10 per cent of the cattle in all the herds were tuberculin tested, properly certified to by the official in charge of state of origin.

All female cattle and bulls over six months of age, for feeding purposes, must have a record of a satisfactory negative agglutination blood test for brucellosis (Bang's disease).

Provided, that the restrictions in Section 2 of this regulation shall not apply to apparently healthy livestock imported for immediate slaughter at packing establishments where federal inspection is maintained or to livestock of any class being consigned to the Union Stockyards at West Fargo, North Dakota.

All purebred female cattle, except those originating from accredited brucellosis-free herds, will be immediately quarantined on land owned or leased by the buyer of the cattle and they must be tested at the owner's expense. All animals found positive to the test will be slaughtered or returned to the state from which they originated.

Section 3. **Swine.**) All swine imported into the State of North Dakota must be accompanied by a health certificate, certifying that the swine have been immunized with a protective dose of hog cholera serum not more than fifteen days prior to date of importation when the serum alone is used, or not less than thirty days prior to date of importation when the serum and virus treatment is used.

All swine imported into the State of North Dakota for exhibition purposes at state or county fairs must be immunized in accordance with the above provisions and be accompanied by a certificate to that effect.

Section 4. **Sheep.**) All sheep imported into the State of North Dakota, except for immediate slaughter or shipment to Armour & Company, West Fargo, or Union Stockyards, West Fargo, must be accompanied by a health certificate certifying that said sheep are apparently free from communicable sheep diseases and have been dipped in a permitted scabies dip, under the supervision of an approved veterinarian. Apparently healthy sheep may be imported into the State of North Dakota from states declared to be free from scabies for the past twelve

months prior to date of shipment by the state veterinarian of state of origin, providing said sheep are loaded in cleaned and disinfected cars or trucks or in cars or trucks not previously used for shipping sheep, and providing further, that said sheep are moved only through scabies-free yards and chutes. Each shipment must be accompanied by a statement from an approved veterinarian of state of origin stating that the sheep originated from a scabies-free state and indicating the number of sheep being shipped, the name and address of the owner and the name and address of the consignee—a copy of said statement to be approved by the state veterinarian of state of origin and immediately forwarded to the North Dakota Livestock Sanitary Board, Bismarck, North Dakota.

Section 5. Dogs.) All dogs imported into the State of North Dakota for any purpose whatsoever, except performing dogs for temporary stay within the State, must be accompanied by a health certificate, issued by an approved veterinarian in the state of origin, certifying that rabies has not existed for the last nine months within a radius of fifty miles of origin of shipment, and that said animals are free from symptoms of any communicable disease, and have not been exposed to rabies.

When this requirement cannot be complied with, dogs will be admitted into the State of North Dakota if they are accompanied by an official health certificate, certifying that they are free from any communicable disease and have been vaccinated with killed-rabies vaccine within a period of six months prior to shipment.

Section 6. Poultry.) Chickens for breeding purposes shall not be imported into the State of North Dakota unless they originate from flocks authoritatively participating in the pullorum control and eradication phase of the National Poultry Improvement Plan, as provided in the latest revised issue of U. S. D. A. Miscellaneous publication No. 300, or have passed a negative agglutination blood test for pullorum disease under the supervision of a state livestock sanitary authority within thirty days of date of sale. Baby chicks or hatching eggs shall not be shipped into the State of North Dakota or sold by hatcheries or others within the State unless they originate from flocks authoritatively participating in the pullorum control and eradication phase of the National Poultry Improvement Plan, as provided in the latest revised issue of the U. S. D. A. Miscellaneous publication No. 300, or from flocks that have met comparable requirements under the supervision of a recognized state livestock sanitary authority.

Each crate, package, or container of hatching eggs, baby chicks, started chicks, or chicken breeding stock must carry an attached label showing authority for the testing and the pullorum control and eradication class of the product.

Section 7. Tests.) All health certificates shall be issued and all tuberculin and brucellosis tests shall be made by Federal or approved graduate veterinarians whose inspections and tests are endorsed by the officer in charge of livestock sanitary control work in the state where said inspections and tests are made, and subject to the regulations of the North Dakota Livestock Sanitary Board. All such tuberculin tests must conform to the standard tuberculin tests of the United States Bureau of Animal Industry.

All tuberculin and serums used must be manufactured or approved by the United States Bureau of Animal Industry.

All blood tests must be made by the official laboratory of state of origin or by veterinarians commissioned in the state of origin to make official federal-state plate agglutination blood tests and who have received laboratory training in the technique of the test and are approved by the Federal government and authorities in the state of origin.

Section 8. Health Certificates.) The original certificate certifying to the aforesaid tests must be made on official federal or state blanks, and must accompany the shipment to its destination. When such original certificate is made, a duplicate thereof must be immediately mailed to the North Dakota Livestock Sanitary Board, and failure to do so shall be deemed cause to refuse acceptance of any more certificates from persons guilty of this negligence.

Regulation No. 2

REGULATION PERTAINING TO NORTH DAKOTA LIVESTOCK AND LIVESTOCK IMPORTED INTO NORTH DAKOTA FOR EXHIBITION AT FAIRS

(Revised January 17, 1945)

Section 1. Horses.) All horses will be admitted without restrictions. If they are disposed of to remain within the State, they must be accompanied by a health certificate, certifying that said animals have been given a physical examination and found to be free from symptoms of all contagious, infectious, or transmissible diseases. All stallions must also be accompanied by a certificate of soundness, certifying that said

animals are free from all contagious, infectious, or transmissible diseases, or unsoundness, as provided in Section 36-0319 of the North Dakota Revised Code of 1943.

Section 2. Cattle.) All cattle must be accompanied by a health certificate, certifying that said animals are free from any symptoms of contagious, infectious or communicable diseases, also that they have been tuberculin tested within a period of thirty days of date of shipment, unless the cattle originated from an accredited tuberculosis-free herd or from a herd in a modified accredited tuberculosis-free area in which the entire herd has passed a negative tuberculin test within three years prior to entry, or originated from a herd in the process of accreditation or from a herd in an area in the process of accreditation wherein the entire herd has passed a negative tuberculin test within six months prior to entry provided such cattle are apparently healthy, and are accompanied by a health certificate and proper identification, including a record of a satisfactory negative agglutination blood test for brucellosis within thirty days prior to date of entry, approved by the livestock sanitary official or authorized agent of the state of origin, or originated from an accredited brucellosis-free herd. Unvaccinated calves under six (6) months of age will not be required to be blood tested prior to entry, provided they are identified as the progeny and come directly from negative or accredited brucellosis-free herds.

Purebred calves under eighteen (18) months of age which have been vaccinated with Strain No. 19 of Brucella Abortus Vaccine between the ages of four and eight months under the supervision of the livestock sanitary officials of the state of origin may be shown without the requirement of passing a negative agglutination blood test for brucellosis. However, such calves must not be sold within the State of North Dakota unless they pass a negative agglutination blood test, or are accompanied by official permit which will not be given unless they originate from a herd free from brucellosis.

Section 3. Swine.) All swine must be accompanied by a health certificate, certifying that the swine have been immunized with a protective dose of hog cholera serum not more than fifteen days prior to date of importation when the serum alone is used, or less than thirty days prior to date of importation when the serum and virus treatment is used.

Section 4. Sheep.) All sheep must be accompanied by a health certificate, specifically stating that they are free from scabies or any other

communicable disease, and have not been exposed thereto within thirty days prior to shipment.

Regulation No. 3

REGULATION PERTAINING TO THE MOVEMENT OF LIVESTOCK THROUGH PUBLIC STOCKYARDS, INCLUDING ALL CONCENTRATION POINTS WHERE LIVESTOCK IS CONSIGNED FOR PURPOSES OTHER THAN IMMEDIATE SLAUGHTER

(Revised January 17, 1945)

Section 1. Stockyards, sale pavilions and all concentration points where yarding, feeding and watering facilities are provided shall be construed as coming under this act.

Section 2. No recommendation to the Public Service Commission for license shall be made for the operation of livestock sale rings connected with any railroad stockyards after February 1, 1945, except those previously established.

Section 3. No animals shall be sold that originate from farms in North Dakota on which the animals of the same species are under official quarantine.

Section 4. All female cattle and bulls over six months of age, regardless of purpose, consigned to North Dakota farms must pass a completely negative blood test for brucellosis and all female cattle if being moved into a modified accredited brucellosis-free county must be quarantined for retest, as required, except that heifers under eighteen (18) months of age that have been officially vaccinated with Strain 19, if positive to the brucellosis test, may be returned to the farm of the owner.

Apparently healthy cattle of strictly slaughter type to be used for slaughter only may be sold without being subjected to tests or examination, but they must be slaughtered within ten days after their arrival at destination.

Section 5. Swine may be sold to go back to farms in North Dakota or returned to the farm of the owner only when accompanied by a certificate signed by an approved veterinarian certifying the animals have been vaccinated by the double or simultaneous method and including the date of such treatment which shall be at least thirty days prior to the sale.

Swine not accompanied by such a certificate, consigned to sales located at points within counties or areas in which hog cholera exists or has existed within the preceding twelve months, as

disclosed by the records in the office of the North Dakota Livestock Sanitary Board, shall be vaccinated as a preventative for hog cholera by an approved veterinarian authorized by the North Dakota Livestock Sanitary Board, by the double or simultaneous method, before being removed from the saleyard and must be removed within twenty-four hours to the premises of the purchaser or owner and there held in quarantine, separate and apart from all other swine, for a period of not less than twenty-one days.

Swine not accompanied by such a certificate, consigned to sales located in counties or areas in which hog cholera does not or has not existed within the preceding twelve months, shall be treated before being removed from the saleyard by the veterinarian with the anti-hog cholera "serum alone" treatment and shall be held in quarantine, separate and apart from all other swine, for a period of not less than twenty-one days on the farm of the purchaser or owner.

Fat hogs may be sold for immediate slaughter without being subjected to immunization against hog cholera.

In yards where the disinfection of treated hogs is provided the United States Bureau of Animal Industry regulation should be followed.

Section 6. No sheep shall be moved from said public stockyards or sale pavilions to any point within this state for any purpose unless accompanied by a health certificate, certifying that said sheep are apparently free from communicable sheep diseases and have been dipped in a permitted scabies dip, under the supervision of an approved veterinarian.

From October 15th to April 15th sheep may be sold for distribution in North Dakota without dipping that originate from scabies-free states and that have been moved to the stockyards or sale pavilions in cleaned and disinfected cars or trucks and kept or moved through scabies-free yards and chutes, providing they are properly identified and certified to by an agent of the North Dakota Livestock Sanitary Board; all other sheep to be quarantined on land owned or leased by the buyer and inspected by a licensed veterinarian in not less than sixty days after purchase at the buyer's expense.

Providing the sale management handles only North Dakota sheep or sheep from scabies-free states, the provisions of dipping will not be required, but a careful inspection must be made and a health certificate (L.S.B. Form 24A) issued to cover each lot.

Section 7. All livestock offered for sale, if imported from other states to such sales, shall be

imported in compliance with the provisions of the State laws and the regulations of the North Dakota Livestock Sanitary Board governing the importation of such livestock.

Section 8. The owner or management operating such sales shall give a full report of all animals bought and sold during the previous week, giving the names of the parties from whom the animals were bought and to whom they were sold, and shall employ a duly licensed veterinarian to inspect and examine all livestock offered for sale. The veterinarian employed must be acceptable to the North Dakota Livestock Sanitary Board and be authorized to act as a representative of said Board. He shall prohibit the sale of any animal or animals that in his opinion are affected with a communicable disease. He shall examine and accept, or refuse to accept, health certificates covering all animals consigned to the sale, vaccinate the hogs, make the tuberculin tests and the agglutination blood tests for brucellosis of cattle, and issue the official quarantine, when necessary, as required by the State laws and the regulations of the North Dakota Livestock Sanitary Board. He shall also supervise the cleaning and disinfection of the stockyards, sale pavilions, pens, premises and vehicles used in transporting livestock. He shall post stockyard quarantine placards in one or more conspicuous places.

Section 9. All such sales rings, stockyards or public concentration points where any livestock is sold back to North Dakota farms or farms in other states must be maintained in a sanitary condition and that portion thereof which is used for handling hogs, including all hog pens, alleys and sales ring, shall be equipped with concrete floors at least three inches thick and these floors must be cleaned and disinfected after each sale or in case of continuous sale not less than once weekly or as often as may be prescribed by the North Dakota Livestock Sanitary Board.

Regulation No. 4

REGULATION PERTAINING TO GLANDERS AND GLANDERS-FARCY

(Revised March 6, 1941)

Section 1. In all cases of suspected glanders or glanders-farcy, the owner or person in charge should immediately isolate the suspected animal or animals and then notify the State Veterinarian or nearest assistant state veterinarian, describing the symptoms exhibited by the suspected animal or animals and advising of the owner's exact location, in accordance with Section

36-0113 of the North Dakota Revised Code of 1943.

Section 2. When the State Veterinarian or an assistant state veterinarian determines by examination that an animal is affected with the dangerous communicable disease known as glanders or glanders-farcy, such animal shall be immediately condemned and destroyed, in accordance with Section 36-1602 of the North Dakota Revised Code of 1943, and the following notice shall be served on the owner or person in charge:

**STATE LIVESTOCK SANITARY BOARD
STATE OF NORTH DAKOTA**

Destroy Notice

To Address
County of, North Dakota

Upon the appraisal of the following described animals, as provided for in Section 36-1603 of the North Dakota Revised Code of 1943, you are hereby ordered to immediately destroy, the same being affected with a dangerous contagious disease known as glanders and you are further ordered to bury or burn said carcasses. If buried, they must be at least four feet below the surface of the ground; if burned they must be entirely consumed. Failure on your part to carry out this order will be deemed a misdemeanor and you will be subject to punishment, as prescribed by law.

Dated, 19.....

Signed
State Veterinarian.

.....
Assistant State Veterinarian.

Where the right to indemnity does not exist, said animals shall be immediately destroyed and be buried or burned, in accordance with Section 36-1612 of the North Dakota Revised Code of 1943.

Providing, whenever a domestic animal has been adjudged by the State Veterinarian or an assistant state veterinarian to be affected with glanders or glanders-farcy and has been ordered killed, the owner, if aggrieved at the decision, may file a protest against the killing thereof, in accordance with Section 36-1602 of the North Dakota Revised Code of 1943.

Where the agent of the North Dakota Livestock Sanitary Board orders the killing of an animal for glanders and does not witness the killing thereof, said agent must brand said condemned animal by burning the letter "K" on

the central portion of the left side of the neck; said letter "K" to be not less than three inches high and three inches wide.

Section 3. Any animal that has been exposed to the contagion of glanders or glanders-farcy shall be quarantined in such place as indicated and until such time as said quarantine be raised, in writing, by the State Veterinarian or a duly authorized assistant state veterinarian and it shall be the duty of the owner or keeper of said animal to comply with said quarantine order and properly disinfect all premises as directed by the State Veterinarian or assistant state veterinarian, by authority indicated in Section 36-0112 of the North Dakota Revised Code of 1943.

The following quarantine notice shall be served on the owner or agent in charge of said animals:

STATE LIVESTOCK SANITARY BOARD
STATE OF NORTH DAKOTA

Quarantine Notice

Office of _____, State Veterinarian,
To _____ Address _____

You are hereby ordered to immediately quarantine _____
being on the _____ of Section _____
Township _____ Range _____,
and the same having been exposed to, or now having symptoms of a disease known as glanders or glanders-farcy and must for the safety of the public and yourself be kept in the same _____ as _____ now _____, separate from all others. You are forbidden to sell or exchange or in any way part with said animal or animals and _____ must not be removed from _____ present quarters without the written consent of the State Veterinarian or an assistant state veterinarian.

Dated this _____ day of _____, 19_____

Signed _____
State Veterinarian.

Assistant State Veterinarian.

Section 4. Whenever in the opinion of the North Dakota Livestock Sanitary Board any animal should be tested by what is known as the mallein test for glanders, said original mallein test shall be made at state's expense by an agent of the North Dakota Livestock Sanitary Board.

All animals reacting to the mallein test, when accompanied by any clinical symptoms of glanders or glanders-farcy, shall be condemned and destroyed as prescribed in Section 2.

Animals that react positively to the mallein test, but do not display any other symptoms suspicious of glanders, shall be condemned and destroyed as provided for in Section 2, unless the owner or person in charge shall make written request that such animals be placed in quarantine to be subjected to a retest. If such application be made to the North Dakota Livestock Sanitary Board or agent of the Board and the applicant shall agree with the Board or agent of the Board that the applicant shall pay the expense of such quarantine and retest required, the Board or agent of the Board may order such animal into quarantine under such conditions and for such time as the Board or agent of the Board shall direct and said animal shall be branded by having the letter "X" burned on the center of right side of neck, said letter to be not less than two inches square.

If upon retesting said animal or animals react to the mallein test, then said animal or animals shall be condemned and destroyed, in accordance with Section 2.

Where an animal or animals are retested and no reaction secured or no clinical symptoms suspicious of glanders are exhibited, said quarantine may be raised, providing the State Veterinarian or assistant state veterinarian is satisfied that no further infection or exposure exists.

Regulation No. 5

REGULATION PERTAINING TO PAYMENT OF INDEMNITY FOR STEERS OR UNREGISTERED BULLS CONDEMNED ON ACCOUNT OF TUBERCULOSIS

(Revised March 6, 1941)

Section 1. Whereas, the U. S. Bureau of Animal Industry has established a regulation providing that said department will not pay any indemnity on steers or unregistered bulls condemned on account of tuberculosis, therefore, the following regulation is enacted by the North Dakota Livestock Sanitary Board:

Section 2. Whereas, provision is made by law, Chapter 36-1509 of the North Dakota Revised Code of 1943, whereby, if the U. S. Bureau of Animal Industry fails to provide an equal amount of indemnity with the State of North Dakota, then the owner shall be paid one-half of the difference between the appraised

value and the net value of the salvage thereof; this regulation providing that such provision of the law be complied with.

Regulation No. 6

REGULATION PERTAINING TO THE ESTABLISHMENT AND MAINTENANCE OF ACCREDITED TUBERCULOSIS-FREE HERDS OF CATTLE UNDER THE UNIFORM METHODS AND RULES UNANIMOUSLY ADOPTED BY THE UNITED STATES LIVESTOCK SANITARY ASSOCIATION, DECEMBER 7, 1933, AND APPROVED BY THE BUREAU OF ANIMAL INDUSTRY, U. S. DEPARTMENT OF AGRICULTURE, DECEMBER 11, 1933.

(Revised June 24, 1943)

Section 1. Individual Accredited Herd Plan:

- (a) An accredited tuberculosis-free herd of cattle is one in which the entire herd has passed two negative successive annual physical examinations and tuberculin tests, or, upon disclosure of infection, three semi-annual successive physical examinations and tuberculin tests applied by a veterinarian regularly employed by the State or the United States Bureau of Animal Industry, or by an accredited veterinarian who has passed an examination conducted by the proper state livestock sanitary official and the Bureau of Animal Industry and who is approved by the proper official of the state in which the herd is located.
- (b) When an accredited herd or herd in the process of accreditation is to be tested at the expense of the owner by an accredited veterinarian, the following regulations are to be observed:
 - (1) The tuberculin test shall be applied on dates approved by the proper state livestock sanitary official and the inspector in charge of the Bureau of Animal Industry in the state wherein the herd is located.
 - (2) The accredited veterinarian shall not conduct such tests until after he has received written authorization from the proper co-operating State and Bureau officials.
 - (3) The accredited veterinarian shall submit a report of such tests in accordance with the regulations of the co-operating State and Federal authorities. These officials reserve the right to supervise any

tests conducted by an accredited veterinarian.

- (4) The amount of Federal indemnity funds for use in the payment of reactors in herds being tested by an accredited veterinarian shall be limited to 15 per cent of the total amount of Federal indemnity allotted to any State, unless an additional allotment for this purpose is made available.

Section 2. The Tuberculin Test:

- (a) The official test shall be the intradermic by the single injection, or the double injection of the caudal fold and vulva, or the subcutaneous, and either or both of these methods in combination with the ophthalmic.
- (b) A herd in which reactors have been found shall not become accredited unless the final or accrediting test has been made by a combination of either the subcutaneous and ophthalmic, intradermic and ophthalmic, or by the double intradermic caudal fold and vulva injection.

Section 3. The entire herd, or any cattle in the herd, shall be tuberculin tested or retested at such times as deemed advisable by the co-operating State and Federal authorities.

Section 4. No animal shall be presented for the tuberculin test which has been designated as a reactor at any time.

Section 5. Reactors to the tuberculin test shall be promptly removed from the farm and after their removal the infected premises shall be thoroughly cleaned and disinfected with a disinfectant approved by the U. S. Bureau of Animal Industry.

Section 6. Herd owners are required to house, feed and care for the cattle under such sanitary conditions as will tend to promote good health and to follow such recommendations as are made by the co-operating State and Federal authorities.

Section 7. Calves shall not be fed milk or other dairy products except: (1) when such milk or other dairy products have been produced by a herd that is under the plan, or (2) when the milk or other dairy products from outside or unknown sources shall have been pasteurized by heating to 145 degrees F. for 30 minutes.

Section 8. Herd Records:

- (a) The herd owner is required to establish satisfactory evidence of the identity of each registered or grade animal, the grade animal to be marked by a tag or other marking sat-

isfactory to the co-operating State and Federal authorities.

- (b) Each herd owner is required to keep a record of all additions and removals of cattle from the herd by sale, death or slaughter.

Section 9. All vehicles shall be cleaned and disinfected before they are used for transporting cattle to herds maintained under this plan.

Section 10. Added Cattle:

- (a) Cattle may be added to an accredited herd in accordance with the following provisions:
Originating from an accredited herd.
Originating from a once-tested free herd or from a modified accredited area on one additional test applied in from 60 to 90 days, and during such period kept separate from the herd.
- (b) Cattle may be added to once-tested free herds in accordance with the following provisions:
From accredited herds, once-tested free herds, or modified accredited areas, without further test.
Cattle added to other herds under this plan, unless originating in accredited or once-tested free herds or modified accredited areas, are required to pass a negative tuberculin test within 60 days prior to entry.
- (c) Any cattle remaining in infected herds shall not be added to herds under supervision except under special permit.

Section 11. If a retest of an accredited herd discloses not more than one reactor, such herd may be reaccredited, provided the entire herd shall pass a retest applied not less than four months from the date of the previous test. If a retest of an accredited herd discloses more than one reactor, the regulations governing the tuberculin testing of infected herds shall apply.

Section 12. An accredited herd certificate shall be valid for one year and shall be issued by the co-operating State and Federal authorities.

Section 13. Cattle from an accredited herd may, subject to regulations of the State of destination, be moved interstate on a certificate of health and tuberculin test chart, which will be issued by the co-operating State or Federal official.

Section 14. Failure on the part of an owner to comply with these methods and rules shall constitute sufficient cause for the cancellation of the agreement.

Regulation No. 7

REGULATION PERTAINING TO THE CONTROL AND ERADICATION OF AVIAN TUBERCULOSIS

(Revised June 24, 1943)

Section 1. It having been determined that avian tuberculosis is widespread in North Dakota and that a large percentage of our poultry flocks are infected with this disease and also that a high percentage of our hogs are retained on account of this disease, the following regulation is adopted:

Section 2. When area avian tuberculosis eradication work is inaugurated in a township, a tuberculin test and physical examination will be offered free of charge on all of the flocks in such township by an authorized agent of the North Dakota Livestock Sanitary Board. If and after the birds over six months of age in seventy-five per cent of the flocks in such township have been tested it will be mandatory for all owners or persons in charge of flocks to submit and restrain all birds for test, retests and physical examinations, when so requested by an authorized agent of the North Dakota Livestock Sanitary Board and all rules and regulations shall then be in effect.

Section 3. All birds reacting to the tuberculin test or found infected as a result of physical examination shall be removed immediately for slaughter.

Section 4. All infected premises and utensils shall be cleaned by removing all litter, poultry droppings and the surface of dirt floors and then disinfected with an officially approved disinfection solution. In so far as it is practical to do so, all young birds shall be raised on clean ground separate from the older birds, or in enclosure on wire floor.

Section 5. It shall be the duty of the flock owner or person in charge to remove all birds over one year of age that have been exposed to reactors or premises where reactors have been found not later than September 30th of each year and report the same in writing on official forms already provided to the North Dakota Livestock Sanitary Board. Also clean and disinfect all exposed premises and utensils as described in Section 4 within thirty days after the removal of all such birds.

Section 6. Infected flocks, in which all birds over one year of age have not been disposed of and reported in accordance with Section 5, shall

be quarantined and tuberculin tested at the owner's expense, providing other funds are not made available, until all birds pass two consecutive negative tests and then released from quarantine.

Section 7. When tuberculosis is found in flocks of considerable value on account of breeding or record of performance and the owner agrees to approved tuberculin tests made at regular intervals, such flocks may be quarantined and tuberculin tested until all birds over six months of age pass at least two consecutive negative tests and then be released from quarantine.

Section 8. All tests, retests and physical examinations of birds shall be made without expense to the owner, provided there is compliance with the provisions of Sections 2, 3, 4 and 5.

Section 9. When all birds over six months of age in a township have been tested and physically examined and the reactors to the test or those found infected on physical examination are less than one per cent of the number of the birds tested and examined, this area may then be declared a modified accredited avian tuberculosis-free area for a period of three years.

Section 10. No birds, except baby chicks, shall be brought into a modified avian tuberculosis-free area, except those that have passed a negative tuberculin test and are accompanied by a certificate of such from an approved veterinarian and if from an infected flock they shall be held separate and apart from other birds until they have passed a negative test.

Regulation No. 8

REGULATION PERTAINING TO BRANDING OF CATTLE CONDEMNED ON ACCOUNT OF TUBERCULOSIS AND BRUCELLOSIS

(Revised January 17, 1945)

Section 1. In order to permanently mark cattle that have reacted to the tuberculin test or blood test for brucellosis the following regulation is enacted by the North Dakota Livestock Sanitary Board:

Section 2. All cattle that give a positive reaction to a properly applied tuberculin test and are adjudged affected with tuberculosis shall be marked by branding the letter "T" on the left jaw (the letter to be not less than two nor more than three inches high) and by having a reactor tag inserted in the left ear.

Section 3. All cattle that give a positive reaction to the agglutination blood test for brucel-

losis and are adjudged affected with this disease shall be marked by branding the letter "B" on the left jaw (the letter to be not less than two nor more than three inches high) and by having a reactor tag inserted in the left ear, or in the instance of purebred cattle properly identified by registration, tattoo, horn brand or other identification, need not be branded or tattooed until such time as they are being disposed of for slaughter. Grade brucellosis reacting cattle allowed to remain in brucellosis quarantined herds must be conspicuously branded with a hot iron so that the brand will be permanent.

Regulation No. 9

REGULATION PERTAINING TO THE CLEANING AND DISINFECTION OF COMMERCIAL TRUCKS HAULING LIVESTOCK

(Effective June 24, 1943)

Section 1. It being determined that commercial trucks distribute infectious diseases of livestock from place to place, the following regulation is hereby adopted:

Section 2. All truckers doing commercial hauling of livestock to and from farms in North Dakota must thoroughly clean and disinfect their trucks after each load is delivered and before going back to other North Dakota farms. The antiseptic used must have a phenol-coefficient equivalent to or superior to U. S. P. Liquor Cresol Compound. The litter removed from the truck must either be burned or soaked in the same antiseptic solution as is used to disinfect the truck.

Regulation No. 10

REGULATION PERTAINING TO THE CLEANING AND DISINFECTION OF TRUCKS, TRAILERS OR OTHER CONVEYANCES BEING USED TO TRANSPORT DISEASED LIVESTOCK TO OR TRANSPORT APPARENTLY HEALTHY SHEEP AND HOGS FROM PUBLIC STOCKYARDS

(Revised January 17, 1945)

Section 1. It having been determined that the use of trucks for the transportation of diseased animals is a dangerous procedure and tends to spread the various diseases of livestock, unless properly cleaned and disinfected after the diseased animals are unloaded and since a great many diseased animals, particularly cattle reacting to the tuberculin test, are moving to public stockyards in this state, the following regulation

is enacted by the North Dakota Livestock Sanitary Board:

Section 2. It shall be the duty of every person, company or corporation hauling diseased livestock, including cattle that have reacted to the tuberculin and brucellosis test, to public stockyards in North Dakota, to cause such truck, trailer or conveyance of any kind to be thoroughly cleaned by removing litter, manure or refuse from said conveyance and cause said conveyance to be disinfected in such manner as may be now or hereafter approved by the United States Bureau of Animal Industry before leaving the stockyards.

Section 3. All trucks, trailers or other conveyances must be thoroughly cleaned and disinfected before being used to transport sheep and hogs from public stockyards.

Regulation No. 11

REGULATION PERTAINING TO MODIFIED ACCREDITED BRUCELLOSIS-FREE AREAS

(Revised January 17, 1945)

Section 1. Under an agreement entered into with the United States Bureau of Animal Industry, the regulation established by said Bureau, pertaining to modified accredited brucellosis-free areas is hereby adopted.

Section 2. When area testing has been started in any county or township in the State of North Dakota or after the county has been established by the United States Bureau of Animal Industry as a modified accredited brucellosis-free area, no cattle shall enter said area except in conformance with the following provisions:

Section 3. All cattle, except steers and cattle for immediate slaughter, when moved into a quarantined area, shall be handled according to the following rules:

Section 4. Cattle from negative herds in modified accredited brucellosis-free areas or herds officially accredited brucellosis-free, according to recognized standards, may enter the area without being retested for brucellosis. All such cattle shall be identified and shall be accompanied by approved certificates.

Section 5. All other male or female cattle, except steers and cattle intended for immediate slaughter, shall be required to pass a negative officially recognized agglutination test for brucellosis within thirty days prior to the date of entry and shall be maintained in quarantine separate from other cattle and retested in not

less than thirty or more than sixty days after the date of entry. If found free, they shall then be released from quarantine.

Section 6. All cattle six months of age or over, except steers, in the area shall be tested for brucellosis and all cattle reacting to the agglutination blood test for this disease in dilution of 1:100 or more shall be slaughtered within fifteen days of the test and all premises where such reacting cattle were located shall be cleaned and disinfected within fifteen days of the date of the removal of the reacting animals. The milk and milk products derived from reacting cattle shall not be used or sold unless properly pasteurized.

Section 7. If, as the result of a test of all the cattle required to be tested according to the provisions of Section 6 above, the number of reactors does not exceed one per cent nor the herd infection exceed five per cent, the area may be declared a modified accredited brucellosis-free area for a period of three years by the state and Federal co-operating agencies in charge of the work, provided that all infected herds shall be placed in quarantine and the cattle in them retested for brucellosis at intervals of from thirty to ninety days until all of them pass two consecutive negative tests and pass a further negative test not less than six months from the date of the second negative test. And further provided that herds in which brucellosis vaccine is being employed and in which any cattle six months of age and over are positive to the test for brucellosis shall be maintained under strict quarantine, except calf-vaccinated herds in range and semi-range areas where it is not practical and for the purposes of herd percentages shall be classed as infected herds.

Section 8. At the expiration of the three-year period the area may be re-accredited for an additional three-year period if not less than ten per cent of all the herds, including ten per cent of the cattle six months of age or over, except steers, are retested and all herds located in the area that were found to contain reactors upon the last complete area test or county check test for brucellosis are retested, provided that the percentages of reactors among the cattle retested does not exceed one per cent of all the cattle tested in the area.

Section 9. In areas where the percentage of reactors to the test for brucellosis was more than one per cent of all cattle tested, the procedure for reaccreditation of counties should be in accordance with methods outlined in Section 6 above.

Regulation No. 12

REGULATION PERTAINING TO TEST AND GRADUAL ELIMINATION OF POSITIVE REACTING ANIMALS WITH CALFHOOD VACCINATION AND WITHOUT INDEMNITIES

(Revised January 17, 1945)

Section 1. It having been determined that in certain herds of cattle the percentage of reactors is so high that immediate slaughter of the reactors is deemed unwarranted, the quarantining of all cattle on such premises and the calfhood vaccination of all the female calves may be substituted for the regular test and slaughter method.

Section 2. The following classes of herds may be considered for this purpose:

- (a) Herds containing animals with valuable blood lines.
- (b) Herds in which the number of reactors disclosed makes it economically unsound for the owner to immediately slaughter the reactors.

Section 3. It shall be the duty of any agent of the North Dakota Livestock Sanitary Board, if requested by the owner, to report the conditions in such herds for consideration of calfhood vaccination to the State Veterinarian and the Inspector in Charge of the U. S. Bureau of Animal Industry and in the meantime he shall tag and brand all reactors and quarantine the entire herd.

If, after careful consideration the vaccination method is officially approved, the owner shall sign the following "C" Contract:

**NORTH DAKOTA
LIVESTOCK SANITARY BOARD
Bismarck, North Dakota**

"C" Contract

Test and Gradual Elimination of Positive Reacting Animals with Calfhood Vaccination and without Indemnities not to be used except in Purebred Herds or in Grade Herds of Outstanding Quality and when Owner is Reliable.

Dated, 19.....

1. I,
(Name of Owner) (Address)

at my request, hereby agree to place my herd of cattle at the disposal of the North Dakota Livestock Sanitary Board for the expressed purpose of carrying on calfhood vaccination as a measure in attempting the control of brucellosis in my herd.

2. I agree not to make any claim whatever against said North Dakota Livestock Sanitary Board or its representatives for any unfavorable results that may in any way be attributed to the use of vaccine.
3. I agree to furnish said North Dakota Livestock Sanitary Board with such information concerning my herd of cattle as may be considered of importance.
4. I agree to keep my cattle separate and apart from all other cattle.
5. I agree that no cattle having an unsatisfactory blood titer be removed from the herd, except for immediate slaughter.
6. I agree to assemble and assist in the vaccination of all calves between four and eight months of age.
7. I agree to cause the slaughter of all reactors at my convenience without indemnity.
8. I agree to permit and assist in the marking of all positive reacting animals over two years of age, as required by the North Dakota Livestock Sanitary Board.
9. I agree to furnish the North Dakota Livestock Sanitary Board with the ear tag numbers of all reactors removed for slaughter immediately upon their disposal, including the name and address of the commission firm or slaughtering establishment.
10. The North Dakota Livestock Sanitary Board agrees to furnish all veterinary services and vaccine in so far as provided by available funds or co-operating agencies.

Witness:

Signed:

Witness:

A designated agent shall vaccinate all female cattle between the ages of four and eight months and all such future increases until all animals in the herd over two years of age reveal at least two negative reactions to official blood agglutination tests not less than six months apart, when nonvaccinated heifers under two years shall similarly be proved negative to the test and when vaccinated animals under two years show either a satisfactory decline in titer or are removed for slaughter.

In order to determine that such vaccinated herds are maintained free of this disease and that titers of vaccinated animals are apparently safe, these herds shall be retested as frequently as deemed necessary by the State Veterinarian and Inspector in Charge of the U. S. Bureau of Animal Industry.

No indemnity will be allowed on reactors from such herds, unless they are slaughtered within fifteen days of date of officially authorized appraisal, except for meritorious reasons.

Vaccination will not be permitted unless done by an authorized veterinarian, acting as an agent of the North Dakota Livestock Sanitary Board, with vaccine approved by the North Dakota Livestock Sanitary Board; such vaccination to be reported, in duplicate, in a manner officially designated.

All animals so vaccinated must be permanently marked by a method approved by the State Veterinarian and a quarantine is to be served on owners of all such herds.

Regulation No. 13

REGULATION PERTAINING TO THE VACCINATION OF ADULT CATTLE IN SERIOUSLY BRUCELLOSIS INFECTED HERDS

(Revised January 17, 1945)

Section 1. It having been determined that in certain herds of cattle the percentage of reactors is so high and the virulence of the infection so great that the elimination of the disease by test and slaughter of cattle is deemed economically unsound, the slaughter of all reacting cattle on such premises and the vaccination of all female cattle may be substituted for the continual test and slaughter method, providing the owner of such cattle is a man of dependable character and the following "D" Contract is signed:

NORTH DAKOTA LIVESTOCK SANITARY BOARD Bismarck, North Dakota

"D" Contract

Test and Elimination of Positive Reacting Animals with Vaccination of All Female Cattle over Four Months of Age and with Indemnities on Cattle Condemned and Slaughtered Prior to Adult Vaccination.

Dated _____, 19.....

1. I, _____
(Name of Owner) (Address)

hereby request the North Dakota Livestock Sanitary Board to carry on vaccination as a measure in attempting the control of brucellosis in my herd.

2. I agree not to make any claim whatever against said North Dakota Livestock Sanitary Board, the U. S. Government, or its representatives for any unfavorable results that may

in any way be attributed to the use of vaccine.

3. I agree to furnish said North Dakota Livestock Sanitary Board with such information concerning my herd of cattle as may be considered of importance.
4. I agree to ship for slaughter all cattle reacting to the test prior to vaccinating any cattle over eight (8) months old.
5. I agree to restrain all cattle and assist in the complete blood testing, vaccination or identification of all my cattle, as deemed necessary by the North Dakota Livestock Sanitary Board for the purpose of determining the condition of the herd with reference to brucellosis.
6. I agree that no cattle having an unsatisfactory blood titer be removed from the herd except for immediate slaughter or by permission of the North Dakota Livestock Sanitary Board.
7. I agree to furnish the North Dakota Livestock Sanitary Board with the ear tag numbers of all reactors removed for slaughter, including the name and address of the commission firm or slaughtering establishment and secure proper permit to ship.
8. I agree not to permit the use of milk for human consumption from cows vaccinated as adults unless it is pasteurized.
9. The North Dakota Livestock Sanitary Board agrees to furnish all veterinary services and vaccine in so far as provided by available funds or co-operating agencies.

Witness:

Signed:

Witness:

Section 2. It shall be the duty of any agent of the North Dakota Livestock Sanitary Board, if requested by the owner, to report the conditions in such herds for consideration of calfhood and adult vaccination to the State Veterinarian and the Inspector in Charge of the U. S. Bureau of Animal Industry. In the meantime he shall tag and brand all reactors and quarantine the entire herd. If, after careful consideration, adult vaccination is decided upon as a measure designed to control and eventually eradicate brucellosis from the herd, the reacting cattle shall be appraised and shipped for slaughter and all the remaining female cattle shall be vaccinated, including the calves over four months of age and all such future increases; this herd then to remain in quarantine and not to be retested, except for purposes of information as to the

number still showing high titers. If at any such future tests the percentage of adult animals showing reactions is low enough, the owner may elect to slaughter the remaining reacting animals and proceed by testing to secure a brucellosis-free herd.

No indemnity will be allowed on reactors from such herds, except those which were condemned prior to vaccination and which must be taken out within a prescribed time set by the U. S. Bureau of Animal Industry.

Vaccination will not be permitted, unless done by an authorized agent, approved by the North Dakota Livestock Sanitary Board, with an approved vaccine; such vaccination to be reported, in duplicate, in the manner officially designated, and all animals so vaccinated must be permanently marked, as outlined in Regulation No. 12.

Regulation No. 14

REGULATION PERTAINING TO THE ESTABLISHMENT OF ACCREDITED BRUCELLOSIS-FREE HERDS

(Revised January 17, 1945)

SECTION I.

Defining Bovine Brucellosis

An animal shall be declared infected with brucellosis if it has given a positive reaction to the blood test made by a laboratory approved by the North Dakota Livestock Sanitary Board.

SECTION II.

Defining Accredited Brucellosis-Free Herds and giving Rules for Handling and Maintaining

Such Herds

1. An Accredited Brucellosis-Free Herd is one in which no reactors to the blood test have been found covering a period of at least one year. Three negative blood tests must have been made at least six months apart.

2. The herd must be maintained accredited tuberculosis-free.

3. The herd owner must place his herd under the supervision of the North Dakota Livestock Sanitary Board for the prevention, repression and eradication of brucellosis. All work will be conducted in co-operation with the owner and his veterinarian, providing he is approved by the North Dakota Livestock Sanitary Board.

4. History of herd must be obtained. Blood must be collected from all animals in the herd, both male and female, and the blood tested by

a laboratory approved by the North Dakota Livestock Sanitary Board.

Note: After the herd has been found negative the animals not old enough to breed need not be tested. They should be blood tested twice, however, before being bred, and all animals in the herd should be blood tested once yearly.

5. All cattle in the herd must be properly identified by tattoo, horn number or ear tag number.

6. If the first blood test shows reactors they shall either be disposed of in a manner satisfactory to the North Dakota Livestock Sanitary Board or placed on separate premises. The original premises must be thoroughly disinfected. A retest should be applied in thirty to sixty days, and any additional reactors disposed of immediately, as herein provided.

7. The herd shall be blood tested at such intervals as deemed advisable by the North Dakota Livestock Sanitary Board, but in no instance shall more than one year elapse between blood tests. Reactors shall be handled as provided in Section 2, Paragraph 6.

8. If an animal aborts it must be immediately isolated and reported by the owner to the North Dakota Livestock Sanitary Board. The place where the abortion occurred must be thoroughly disinfected and the fetus and membranes properly disposed of.

9. The herd bulls must not be used for public service, except on cattle that have been blood tested and found free from brucellosis. Service must be on neutral ground.

10. All milk and other dairy products fed shall either be pasteurized or be produced by an accredited brucellosis-free herd.

11. All cattle, with the exception of calves under six months of age, to be added, other than those from accredited brucellosis-free herds, must pass a blood test approved by the North Dakota Livestock Sanitary Board and must be isolated; they must pass a second blood test approved by the North Dakota Sanitary Board, made not earlier than sixty days nor later than one hundred and twenty days. Calves under six months of age may be added to the herd after having passed one satisfactory test.

12. Pregnant animals, other than those from accredited brucellosis-free herds, to be added, must be isolated until after having calved, and must pass a satisfactory blood test not earlier than three weeks after having calved.

13. An accredited brucellosis-free herd certificate will be issued to the herd owner complying

with the provisions of this regulation—the certificate being valid for one year.

Regulation No. 15

REGULATION PERTAINING TO THE ESTABLISHMENT OF ACCREDITED BRUCELLOSIS-FREE VACCINATED HERDS

(Revised January 17, 1945)

SECTION I

Defining Bovine Brucellosis (Bang's Disease)

Any animal shall be declared infected with brucellosis if it has given a positive reaction to the blood test made by a laboratory approved by the North Dakota Livestock Sanitary Board.

SECTION II

Defining Accredited Brucellosis-free Vaccinated Herds and Giving Rules for Handling and Maintaining Such Herds

1. An accredited brucellosis-free vaccinated herd is one in which no reactors to the blood test have been found covering a period of at least one year, and in which all female calves born in the herd or any added female calves have been vaccinated under supervision between the ages of four and eight months of age with Strain 19. Three negative blood tests must have been made at least six months apart.

2. The herd must be maintained accredited tuberculosis-free.

3. The herd owner must place his herd under the supervision of the North Dakota Livestock Sanitary Board for the prevention, repression and eradication of brucellosis. All work will be conducted in co-operation with the owner and his veterinarian, providing he is approved by the North Dakota Livestock Sanitary Board.

4. History of herd must be obtained. Blood must be collected from all animals in the herd, both male and female, and the blood tested by a laboratory approved by the North Dakota Livestock Sanitary Board.

5. All cattle in the herd must be properly identified by tattoo, horn number or ear tag number. All vaccinated calves must be permanently identified by tattoo or other identification showing that they have been vaccinated.

6. If the first blood test shows reactors they shall either be disposed of in a manner satisfactory to the North Dakota Livestock Sanitary Board or placed on separate premises. The original premises must be thoroughly cleaned and disinfected. A retest should be applied in thirty

to sixty days, and any additional reactors disposed of immediately, as herein provided. All vaccinated female cattle that do not show a falling blood titer or are completely negative at eighteen months of age must be removed from the herd.

7. The herd shall be blood tested at such intervals as deemed advisable by the North Dakota Livestock Sanitary Board, but in no instance shall more than one year elapse between blood tests. Reactors shall be handled as provided in Section 2, Paragraph 6.

8. If an animal aborts it must be immediately isolated and reported by the owner to the North Dakota Livestock Sanitary Board. The place where the abortion occurred must be thoroughly disinfected and the fetus and membranes properly disposed of.

9. The herd bulls must not be used for public service, except on cattle that have been blood tested and found free from brucellosis. Service must be on neutral ground.

10. All vaccinated calves must be completely negative to the blood test by the time they are twenty-four months of age or removed and handled as reactors.

11. All milk and other dairy products fed shall either be pasteurized or be produced by an accredited brucellosis-free herd.

12. All cattle, with the exception of calves under eight months of age, to be added, other than those from accredited brucellosis-free herds, must pass a blood test approved by the North Dakota Livestock Sanitary Board and must be isolated; they must pass a second blood test approved by the North Dakota Livestock Sanitary Board, made not earlier than sixty days nor later than one hundred and twenty days. Calves under eight months of age may be added to the herd after having passed one satisfactory negative blood test, provided they are immediately vaccinated with Strain 19.

13. Pregnant animals, other than those from accredited brucellosis-free herds, to be added, must be isolated until after having calved, and must pass a satisfactory blood test not earlier than three weeks after having calved.

14. An accredited brucellosis-free vaccinated herd certificate will be issued to the herd owner complying with the provisions of this regulation; the certificate being valid for one year.

Regulation No. 16

REGULATION PERTAINING TO VACCINATION OF CALVES FOUR TO EIGHT MONTHS OLD BY LICENSED VETERINARIANS EMPLOYED BY THE OWNER OF THE CATTLE

(Effective January 17, 1945)

Section 1. It having been fairly well determined that the vaccination of calves between the ages of four and eight months of age with *Brucella Abortus Vaccine Strain 19* does not in any way tend to spread abortion among cattle or endanger the milk supply for human use but does on the other hand give such vaccinated animals considerable additional resistance against brucellosis, the following regulation is therefore adopted:

Section 2. If calves between the ages of four and eight months only are to be vaccinated the attending veterinarian need not test the entire herd or request any kind of agreement of the owner, but no vaccine is to be administered to animals over eight months of age without first securing a permit for so doing from the State Veterinarian. Such permit will not be given unless the entire herd has been tested and a record of such test sent in to the State Office, accompanied by an application from the attending veterinarian to be permitted to vaccinate such animals in order to control an outbreak of brucellosis.

Section 3. All animals vaccinated with *Brucella Abortus Vaccine* shall be permanently identified by a "V" notch cut in the lower part of the right ear and an identification tag placed in the same ear.

Section 4. The veterinarian administering the vaccine shall report all animals vaccinated to the Livestock Sanitary Board on Form R18V, in duplicate, and shall furnish all information required on the form.

Regulation No. 17

REGULATION PERTAINING TO THE CONTROL OF SCABIES OF CATTLE

(Revised June 24, 1943)

Section 1. Since scabies of cattle can only be eradicated by dipping in certain recommended dips at proper intervals of time and under trained supervision, the following regulation is enacted by the North Dakota Livestock Sanitary Board to control the spread of this disease:

Section 2. Whenever cattle are known to be affected with or exposed to scabies they shall

be quarantined and dipped under the supervision of an agent of the North Dakota Livestock Sanitary Board or an agent of the United States Bureau of Animal Industry. After the cattle have been dipped the required number of times the quarantine must be continued until future inspection shows them to be free from this disease.

Section 3. If a lime and sulphur or nicotine sulphate dip is used the cattle must be dipped at least twice and as often as necessary to cure them. Animals showing lesions of scabies should be hand-treated previous to their being dipped and should be held in the dipping solution at least two minutes. The dipping solution must be heated and held at a temperature of not less than 95 degrees nor more than 110 degrees Fahrenheit. If oil float or oil emulsion dip is used the dip need not be heated nor the animals held in the dip.

The second dipping must follow in not less than ten nor more than fourteen days from the time of the first dipping. Subsequent dippings, if necessary, will follow the last dipping in not less than ten nor more than fourteen days. In all the dippings the animals must be completely submerged in the dip at least once. Dipping solutions must be maintained at proper standards, the dipping vat clean and a new dip provided whenever the dip breaks down or becomes filthy, regardless of the number of cattle dipped in it.

In case of sarcoptic mange dippings must not be less than six nor more than ten days apart and if lime and sulphur or nicotine sulphate solutions are used not less than four dippings must be made.

Regulation No. 18

REGULATION PERTAINING TO THE CONTROL OF SCABIES OF SHEEP

(Revised March 6, 1941)

Section 1. Since scabies of sheep can only be eradicated by dipping in certain recommended dips at proper intervals of time and under trained supervision, the following regulation is enacted by the North Dakota Livestock Sanitary Board to control the spread of this disease:

Section 2. All sheep affected with or exposed to scabies shall be kept in quarantine away from all other sheep and, if possible, within an inside enclosure.

All sheep affected with or exposed to sheep scabies must be dipped not less than twice and as often as is necessary to cure the disease in an

official dip and under the supervision of an agent of the North Dakota Livestock Sanitary Board or an agent of the United States Bureau of Animal Industry.

Section 3. Visibly affected sheep should be separated from the balance of the flock and hand treated several times before being held in the dipping solution for not less than two minutes. The dipping solution must be maintained at proper standards, heated and held at a temperature of not less than 95 degrees nor more than 110 degrees Fahrenheit.

Sheep that have been only exposed to scabies need only be held in the dipping solution the required two minutes.

The second dipping must follow the first dipping in not less than ten nor more than fourteen days. Subsequent dippings, if necessary, will follow the last dipping in not less than ten nor more than fourteen days. In all the dippings the animals must be completely submerged in the dip at least once.

Section 4. As soon as the sheep have been dipped twice they should be removed to clean quarters. The quarantine shall be continued for not less than ninety days after the last dipping and as much longer as may be necessary to determine whether or not the disease has been eradicated.

Regulation No. 19

REGULATION PERTAINING TO THE CONTROL OF ANTHRAX

(Revised March 6, 1941)

Section 1. Anthrax being a serious infectious disease of livestock, and which is disseminated by the improper disposition of excrement and blood from animals affected with anthrax or from carcasses of animals dead from this disease, the following regulation is enacted by the North Dakota Livestock Sanitary Board to control the spread of this disease:

Section 2. Whenever an animal or animals have been adjudged infected with or have died from anthrax, as determined by an agent of the North Dakota Livestock Sanitary Board either by clinical, post-mortem or laboratory examination, it is necessary that this regulation be strictly adhered to.

Section 3. All sick animals must be segregated from the healthy animals and all excrement and blood therefrom must be destroyed by burning.

Section 4. All livestock on the infected farm where animals are dying of anthrax should be treated with anthrax serum, the dose depending on whether or not they are carrying an elevated temperature. Later they should all be vaccinated, using an anthrax vaccine manufactured by a reliable company. Intradermic anthrax spore vaccine is recommended for all classes of livestock. Care should be taken, however, in using this vaccine on horses. They should not be worked the day they are being vaccinated or for several days after vaccination. If this cannot be avoided, it is recommended that anthrax aggressin be used on the horses. All vaccinated animals must be maintained in quarantine for thirty days after the last animal died or for thirty days after vaccination.

Section 5. As anthrax germs after leaving the animal's body change to spores and in this condition are very resistant and live for years in the soil animals that have died from this disease must be completely burned at the place where they died, if possible. If the dead animals must be moved, all body openings should be plugged with cotton saturated with some strong antiseptic solution—pure formaldehyde being recommended. The dead animals must not be dragged over the ground but must be moved on some suitable conveyer. If it is impossible to burn the dead animals and burial is resorted to, it should be on high ground away from all wells and streams and fenced away from all livestock. The carcasses should be placed at least six feet below the surface of the ground with a foot of lime under and over the carcasses.

Section 6. Livestock owners should be warned not to skin animals that have died from anthrax, as this disease is transmissible to human beings as well as all domestic animals. Further, it is unlawful to sell hides removed from animals that have died from anthrax.

Regulation No. 20

REGULATION PERTAINING TO RABIES

(Revised March 6, 1941)

Section 1. This regulation is established for the purpose of co-operating with the State Health Department and city and county health officers in the control and eradication of rabies in animals and the protection of public health.

Section 2. **How Reported.**) Whenever a physician or other person has knowledge that any person or animal has been bitten or injured by a dog or other animal infected or suspected of being infected with rabies, and whenever he has knowledge of a case of rabies or suspected rab-

ies, he shall report that fact immediately to the nearest health officer. The local health officer shall then transmit this report to the State Health Department and the State Livestock Sanitary Board, by wire or telephone. The State Veterinarian shall direct such investigation as is deemed advisable and report the findings of said investigation to the State Health Department or nearest city or county health officer.

Section 3. Suspected Animals Should Be Killed.) When animals are suspected of being infected with rabies they should be effectively quarantined by being closely confined under the direction and close observation of the local health officer or an authorized agent of the State Livestock Sanitary Board. When a dog or other animal shows positive symptoms of rabies it shall be immediately killed in such a manner as to preserve the brain intact. Heads of animals which have been killed on account of suspected rabies or those that have died from suspected rabies should be packed in a sealed metal container, and this container should be packed in ice and immediately sent to the State Laboratory, State College Station, Fargo, North Dakota, for examination; or if the brain is carefully removed from the skull and immersed in 50% glycerine and water in a sealed glass container, it will arrive at the laboratory in satisfactory condition for examination. When an animal is killed in the early stages of the disease it is always difficult and often impossible to find the negri bodies. Whereas, the process is comparatively simple in the latter stages of the disease.

Section 4. Treatment for Rabies.) Any person who has been bitten by a rabid animal should at once secure the Pasteur treatment.

Section 5. Methods of Quarantine and Immunization.) Whenever a case of rabies or suspected rabies has been reported to either the State Livestock Sanitary Board or to the State Health Department a strict quarantine of all dogs or other animals susceptible to rabies may be ordered under the direct supervision of the State Veterinarian or his authorized agents, covering as large an area for such period of time as in their judgment seems reasonable and necessary. Quarantine in such cases shall consist in effectively muzzling and closely confining all dogs and other animals susceptible to rabies in the quarantined area in a manner as directed by the State Veterinarian and the State Health Officer; provided, that any dog or other animal under quarantine having been properly immunized and certified to by the State Veterinarian,

may be released from quarantine after a period of twenty-one days.

Regulation No. 21

REGULATION PERTAINING TO THE USE OF VIRULENT PRODUCTS IN THE TREATMENT OF ANY DOMESTIC ANIMALS IN NORTH DAKOTA

(Revised June 24, 1943)

Section 1. It having been determined that the unrestricted use of certain virulent products is a dangerous procedure and, in some instances, is attended with disastrous results, the following regulation is enacted by the North Dakota Livestock Sanitary Board:

Section 2. All persons, firms or corporations are prohibited from selling, distributing or using any live germs, cultures or virulent products for the treatment of any domestic animals in this state, except with the approval of the Bacteriologist and Consulting Veterinarian of the North Dakota Livestock Sanitary Board. Drug-gists may secure a permit to sell hog cholera virus in North Dakota, but only after they have signed the following agreement with the Bacteriologist and Consulting Veterinarian of the North Dakota Livestock Sanitary Board, State College Station, Fargo, North Dakota:

"I,, representing the
.....Drug Company,
North Dakota, due to the presence of hog
cholera in my trade territory and the
demand from some of the people for hog
cholera virus, do hereby request a per-
mit to sell virus, as required in Section
2 of North Dakota Livestock Sanitary
Board Regulation No. 21.

I agree to furnish the North Dakota
Livestock Sanitary Board each week
with the names and addresses of all
people to whom I sell virus, giving the
amount sold, etc.

I agree not to sell virus except to owners
of hogs to be used on their own hogs.

I further agree not to push the sale of
virus by scaring people as to the danger
of hog cholera existing and I will do all
in my power to give proper advice in
the administration of this product—cau-
tioning everyone of the bad results if
the virus is not properly taken care of
and administered."

With each sale of hog cholera virus the drug-
gist must furnish a "Keep Out" placard and

directions for administering the virus, both of which are to be furnished to all permit holders by the North Dakota Livestock Sanitary Board, Bismarck, North Dakota.

Regulation No. 22

REGULATION PERTAINING TO THE FEEDING OF UNCOOKED GARBAGE TO SWINE

(Revised June 24, 1943)

Section 1. It having been determined that in many instances outbreaks of hog cholera have developed through the feeding of uncooked garbage to hogs not immune against hog cholera, the following regulation is enacted by the North Dakota Livestock Sanitary Board:

Section 2. Uncooked garbage shall be construed to mean table scraps, kitchen scraps from hotels and restaurants and meat scraps from butcher shops that have not been submitted to a cooking process at a temperature of 180 degrees F. for a period of fifteen minutes.

Section 3. Premises where uncooked garbage is being fed shall be construed as being exposed to hog cholera and subject to rigid quarantine.

Section 4. All hogs being fed uncooked garbage as defined in Section 2 must be immunized within a period of ten days after being placed on uncooked garbage by receiving the simultaneous treatment against hog cholera.

Regulation No. 23

REGULATION PERTAINING TO THE USE OF HOG CHOLERA VIRUS IN THE DOUBLE OR SIMULTANEOUS TREATMENT OF SWINE AGAINST HOG CHOLERA

(Revised June 24, 1943)

Section 1. It having been determined that the use of hog cholera virus is a dangerous procedure and tends to spread hog cholera unless properly applied and used under rigid restrictions, the following regulation is enacted by the North Dakota Livestock Sanitary Board to control the spread of this disease:

Section 2. In all cases where hog cholera virus is used all swine must be confined in enclosed premises or within a hog and dog-tight lot not to exceed five acres in extent and not adjacent to any highway, for a period of not less than thirty days after treatment, and premises to be properly quarantined and placarded.

Section 3. After period of confinement has elapsed all hogs must be properly dipped or

sprayed in an officially approved antiseptic solution, and the premises properly cleaned and disinfected before the quarantine is raised.

Section 4. Public stockyards where the buying and selling of hogs is carried on shall be construed as cholera-infected premises. Where hog cholera virus is used in treating swine at such public stockyards the rules of the Secretary of the U. S. Department of Agriculture as applied to public stockyards shall prevail. Further provided that all swine originating from said public stockyards must be segregated and held in quarantine as provided in Section 2 of this regulation.

Regulation No. 24

REGULATION PERTAINING TO THE CONTROL OF HOG CHOLERA

(Revised March 6, 1941)

Section 1. It having been determined that hog cholera is one of the most infectious of all animal diseases and is spread by improper disposition of carcasses and by attendants and other persons going from infected to non-infected pens without proper disinfection, the following regulation is enacted by the North Dakota Livestock Sanitary Board to control the spread of this disease:

Section 2. The sudden death of hogs should lead the owner to suspect cholera and a careful examination should be made by a veterinarian. If hog cholera is found to exist the premises must be posted by having a placard bearing the words "QUARANTINE—HOG CHOLERA—KEEP OUT" placed in a conspicuous place near the entrance to premises until the quarantine is raised. All unaffected hogs should be immediately vaccinated by a licensed veterinarian.

(Section 3 of Regulation No. 15 was amended October 16, 1941, to read, as follows:)

All hogs that have died from cholera must be deeply buried or burned or be given to a licensed rendering plant within twenty-four hours after death. Pens that have contained hogs affected with cholera should be thoroughly cleaned and disinfected, using a 3% solution of liquor cresol compound. Hog lots that have contained cholera hogs should be deeply plowed.

Section 4. Hogs showing symptoms of hog cholera or other communicable diseases must not be conveyed upon any public highway, nor must an owner negligently or wilfully allow such hogs to run at large.

Section 5. No hogs exposed to hog cholera or other communicable diseases shall be shipped, trailed, driven or otherwise moved within North Dakota for any purpose except on permit issued by the North Dakota Livestock Sanitary Board, its authorized agents or any licensed veterinarian. Such permit shall be marked "EXPOSED HOGS FOR IMMEDIATE SLAUGHTER" and shall be made out in triplicate, one copy to accompany the shipment of hogs, one to be delivered to the Inspector in charge of the slaughtering establishment and the third copy to be mailed to the North Dakota Livestock Sanitary Board, Bismarck, North Dakota.

Hogs moved on such a permit must be apparently healthy at the time of loading and shall not be diverted en route for any other purpose and can only be shipped for slaughter where federal inspection is maintained.

Cars, trucks and any other vehicles, yards, pens and all premises which have contained such hogs shall be cleaned and disinfected.

(Regulation No. 15 was amended October 16, 1941, by adding Section 6, which reads, as follows:)

When hog cholera virus is used on hogs they must be held in quarantine not less than thirty days and they must not be used for food during this period. A "Keep Out" placard must be posted in a conspicuous place where it may be seen by everyone and it must remain in place at least thirty days. Should any hogs die they should be taken care of as outlined in Section 3.

Regulation No. 25

REGULATION PERTAINING TO THE CONTROL OF SWINE ERYSIPELAS

(Revised January 17, 1945)

Section 1. It having been determined that swine erysipelas has gained such a foothold in certain sections in our State, as to preclude its control by any other than the culture and serum vaccination the following regulation is enacted by the North Dakota Livestock Sanitary Board to control the spread of the disease.

Section 2. All licensed veterinarians in this State are approved by this department to secure erysipelas culture for use on erysipelas infected farms and such approval will be continued providing all directions are followed. That the culture be used only on farms where the disease is known to exist and providing proper reports are made as required by the Bureau of Animal Industry and the Livestock Sanitary Board.

Regulation No. 26

REGULATION PERTAINING TO THE CONTROL OF PULLORUM DISEASE

(Revised May 28, 1942)

Section 1. Pullorum disease being a serious infectious disease of poultry which is disseminated by the sale and purchase of infected eggs and chicks, the following regulation is enacted by the North Dakota Livestock Sanitary Board to control the spread of this disease:

Section 2. All provisions for the classification, recognition, control and eradication of pullorum disease, as contained in the latest revised issue of the U. S. D. A. Miscellaneous publication No. 300, shall be recognized in North Dakota and all regulatory provisions therein shall be construed as being part of this regulation.

Section 3. Chickens for breeding purposes shall not be imported into the state of North Dakota unless they originate from flocks authoritatively participating in the pullorum control and eradication phase of the National Poultry Improvement Plan, as provided in the latest revised issue of U. S. D. A. Miscellaneous publication No. 300, or have passed a negative agglutination blood test for pullorum disease under the supervision of a state livestock sanitary authority within thirty days of date of sale. Baby chicks or hatching eggs shall not be shipped into the State of North Dakota or sold by hatcheries or others within the State unless they originate from flocks authoritatively participating in the pullorum control and eradication phase of the National Poultry Improvement Plan, as provided in the latest revised issue of the U. S. D. A. Miscellaneous Publication No. 300, or from flocks that have met comparable requirements under the supervision of a recognized State Livestock Sanitary Authority.

Each crate, package, or container of hatching eggs, baby chicks, started chicks, or chicken breeding stock must carry an attached label showing authority for the testing and the pullorum control and eradication class of the product.

Regulation No. 27

REGULATION PERTAINING TO SALARIES OF AGENTS OF THE NORTH DAKOTA LIVESTOCK SANITARY BOARD

(Revised January 17, 1945)

Section 1. Whenever an agent of the Livestock Sanitary Board applies the intradermic tuberculin test to cattle or is engaged in brucel-

losis eradication, or both, he shall receive for such services, if paid on a per diem basis, an amount not to exceed \$12.00 per day and actual expenses. This rate shall also apply to the vaccination of livestock against anthrax and to supervising the dipping of cattle or sheep.

Section 2. The maximum charge for all other services not specified above shall not exceed \$8.00 per day and actual expenses.

Section 3. The veterinarian is to charge for the use of his own car at the rate prescribed by law.

Regulation No. 28

REGULATION PERTAINING TO MAXIMUM CHARGES TO BE MADE BY VETERINARIANS MAKING INSPECTIONS OR APPLYING TUBERCULIN AND BRUCELLOSIS TESTS TO LIVESTOCK WHERE ANIMALS ARE BEING MOVED INTERSTATE

(Revised January 17, 1945)

Section 1. It being impossible to establish a rigid regulation that will be fair under all conditions, the charges should be modified accordingly by the veterinarian making the inspections or applying the various tests to livestock intended for interstate shipment.

Section 2. Where a veterinarian, in order to make inspections or tuberculin tests, is compelled to leave his station and devote his entire time to said trip and inspections or tests, \$10.00 per day and actual expenses shall be considered a legitimate charge. If the brucellosis test is to be made, a similar charge shall be considered legitimate, except in the instance where more than 15 head are to be tested an additional charge of 50c per head for all animals over 15 shall be considered a legitimate charge.

Section 3. Where a veterinarian makes such inspections or tests at his own station, allowing him to perform other duties while making such inspections or tests, a charge not to exceed \$3.00 for the first head nor more than \$5.00 per car, for inspections only, shall be considered legitimate. In the instance of brucellosis or TB. tests, or both, if required, a charge not to exceed \$3.00 for the first head and 75c for each additional head shall be considered legitimate.

Section 4. The above-mentioned inspections and tests must be made in accordance with the laws and regulations of the state to which the livestock is destined.

Regulation No. 29

REGULATION PERTAINING TO THE SCHEDULE TO BE FOLLOWED BY VETERINARIANS GOVERNING PRICES TO BE CHARGED AT COMMUNITY SALES

(Revised January 17, 1945)

Section 1. House Bill No. 224 requires that the Livestock Sanitary Board set the prices to be charged at all community livestock sales and stockyards.

Section 2. It being impossible to establish a rigid regulation that will be fair under all conditions, the charges listed below are both maximum and minimum charges and the veterinarians must modify them to suit the special conditions under which they work. In large saleyards the price charged for the brucellosis test should be materially reduced below the maximum rate as prescribed in this schedule.

Section 3. Where a veterinarian is compelled to leave his station in order to make the inspections and apply the tests required under this law he shall be allowed to charge the same rate of mileage as that established by the State.

Section 4. The veterinarian shall receive a minimum fee of \$10.00 for making the required inspections and issuing health certificates and proper passes out of the sales ring, as required.

For the brucellosis testing of cattle the fee shall not exceed 75c per head and for the injection of hog cholera serum the fee shall not exceed 15c per hog and the retail cost of the serum.

Regulation No. 30

REGULATION PERTAINING TO MAXIMUM CHARGES TO BE MADE BY VETERINARIANS FOR INSPECTING, TESTING AND IMMUNIZING LIVESTOCK AT PUBLIC PUREBRED SALES IN NORTH DAKOTA

(Revised January 17, 1945)

Section 1. The livestock sales ring law which was passed by the 1941 Legislature exempts breeders of livestock of any class who assemble for sale and sell under their own management registered livestock or breeding sires, providing such individuals or associations assume all responsibility of such sale and guarantee title of such livestock and make proper inspection of all animals sold, and it is, therefore, deemed necessary that some provision for such inspection be authorized.

Section 2. Whenever breeders of livestock assemble for sale registered livestock or breeding sires, they must provide for the inspection and testing, if necessary, of all the animals sold and must use for this purpose a licensed veterinarian approved by the North Dakota Livestock Sanitary Board. This veterinarian is to receive for his services a sum not to exceed \$10.00 per diem, plus the same rate per mile for the distance actually traveled as that allowed by the State and a sum not to exceed 75c per head for brucellosis and TB. testing. It shall be his duty to inspect all livestock brought to the sale, inspect all test charts and official health certificates of any kind, and hold for test any animals that do not carry the proper credentials as required by law and the regulations of the North Dakota Livestock Sanitary Board.

NORTH DAKOTA LIVESTOCK SANITARY BOARD DIRECTION FOR THE DISINFECTION OF PREMISES

In the eradication of glanders, tuberculosis, brucellosis or other communicable diseases the thorough disinfection of premises is essential. This may be satisfactorily accomplished by carrying out the following directions:

1. Sweep ceilings, side walls, stall partitions, floors, and other surfaces until free from cobwebs and dust.

2. Remove all accumulations of filth by scraping, and if woodwork has become decayed, porous, or absorbent, it should be removed, burned, and replaced with new material.

3. If floor is of earth, remove four inches from the surface, and in places where it shows staining with urine a sufficient depth should be removed to expose fresh earth. All earth removed should be replaced with earth from an uncontaminated source, or a new floor of concrete may be laid, which is very durable and easily cleaned.

4. All refuse and material from stable and barnyard should be removed to a place not accessible to cattle or hogs in case of disinfecting for tuberculosis or brucellosis nor accessible to horses or mules in case of disinfecting for glanders. This material should be burned, if possible; otherwise, the manure should be spread on the fields and turned under, while wood should be burned.

5. The entire interior of the stable, especially the feeding troughs and drains, should be saturated with a disinfectant, as liquor cresolis compositus (U. S. P.), or carbolic acid. 6 ounces to every gallon of water in each case. After this

has dried, the stalls, walls, and ceilings may be covered with white-wash (lime wash) to each gallon of which should be added 4 ounces of chlorid of lime.

The best method of applying the disinfectant and the lime wash is by means of a strong spray pump, such as those used by orchadists.

This method is efficient in disinfection against most of the contagious and infectious diseases of animals, and should be applied immediately following any outbreak, and, as a matter of precaution, it may be used once or twice yearly.

6. It is important that arrangements be made to admit a plentiful supply of sunlight and fresh air by providing an ample number of windows, thereby eliminating dampness, bad odors, and other insanitary conditions. Good drainage is also very necessary.

If the use of liquor cresolis compositus, carbolic acid, or other coal-tar products is inadmissible because of the readiness with which their odor is imparted to milk and other dairy products, a 2% lye solution may be used (1 lb. lye in 6 gallons of water). Sodium phenylphenate is recommended as a very desirable odorless disinfectant.

NORTH DAKOTA LIVESTOCK SANITARY BOARD DIRECTIONS FOR DRAWING BLOOD SAMPLES FROM CATTLE FOR THE AGGLUTINATION BLOOD TEST FOR BRUCELLOSIS AND OTHER DIRECTIONS PERTAINING THERETO.

1. To definitely determine the existence of brucellosis in a herd of cattle blood samples should be drawn from all breeding animals over six months of age; the following technique being recommended in the collecting of the blood samples:

2. All animals that are to be blood tested must be identified by serial numbered ear tags—placed in the right ear. The blood should be drawn into sterilized tubes. The tubes must be labeled and numbered in sequence—for instance, 1 to 1000. Care should be taken to keep the blood samples in order—indicating the proper tube number and ear tag number on the test chart for each animal from which blood has been drawn.

3. A small rope, tourniquet, or the thumb may be used to dam back the blood in the jugular vein. A small pledget of cotton which has been soaked in alcohol may be used to disinfect the skin at the point of puncture.

4. Fill the tube about one-third full of blood and allow the blood to stand two or three hours after it has been drawn or until firmly clotted—after which time it should be kept cold but not allowed to freeze. The tubes of blood, securely corked, should then be carefully packed and forwarded to the Brucellosis Laboratory, 602 Main, Bismarck, N. D.

5. The veterinarian should endeavor to carry out the whole procedure in as sanitary a manner as possible to avoid undue hemolysis of the blood.

6. The test chart, indicating proper ear tag numbers, tube numbers, and descriptions of the animals from which blood has been drawn, must be made out in duplicate and forwarded to the Brucellosis Laboratory at the same time the blood is forwarded.

7. Reactors should be tagged in the left ear and branded on the left jaw with the letter "B."

8. It is illegal for owners to sell or in any way dispose of these reacting animals, except for immediate slaughter—properly identified and accompanied by proper permit.

9. There is great danger of infected cows spreading this disease to other animals in the herd a few days before and from three to six weeks following abortion or normal calving. If the owner is unable to isolate the infected cows, he should at least do so during this period.

NORTH DAKOTA LIVESTOCK SANITARY BOARD DIRECTIONS FOR THE PREPARATION OF MATERIALS FOR LABORATORY EXAMINATION

The diagnosis of animal diseases frequently requires laboratory examination of materials to aid or substantiate tentative diagnoses which are not possible with methods of observation. This involves technical procedures with facilities which are not ordinarily available in the field. If the veterinarian is to secure the maximum amount of service, the specimens should be selected with a definite idea of the purpose for which they are to be examined. The specimen should be accompanied by a concise report on the history and the lesions which were found, as well as the purpose of the examination.

Tissues for Bacteriologic Examination. This usually involves some form of animal inoculation. When an infectious disease is suspected, the appropriate organ should be sent to the laboratory in as fresh a condition as possible and with as much protection from extraneous contamination as possible.

The tissues should be selected according to the probable localization of the disease. Sections of the blackleg muscle should be selected, the rectum in coccidiosis, the head of a rabid dog (none reported for years), the swellings or pus in actinomycosis, blood dried on a cotton swab or string and placed in a test tube when anthrax alone is suspected—such material being carefully packed before shipment, being doubly sure that all anthrax suspected specimens are made safe from breakage and possible hazard to the handlers. There are a very limited number of septicemic diseases and the microscopic examination of the blood seldom reveals anything. The spleen is suitable for most purposes when animal inoculation is necessary to detect septicemic infection. Select the lesions which show alterations.

Never pack moist organs in a tight container, like a tin can or a fruit jar. There is nothing to absorb the excess moisture, so that discoloration and putrefaction quickly take place, so that such material is often worthless.

Specimens which are wrapped in clean cloth and then packed in excelsior or even prairie hay, to absorb any excess fluid, are in the best shape for shipment. If specimens can be cooled in warm weather, there is little need of packing them in borax, providing cloth is used. Specimens in alcohol or formalin are useless for subsequent bacteriologic study.

Small animals and poultry specimens usually arrive in better condition for examination if they are shipped intact than if portions of the viscera are submitted.

Hog Cholera and Swine Erysipelas. The positive differentiation of these diseases requires inoculation into pigs and pigeons. Blood can be obtained in a sterile tube or vial in a cleanly manner from a sick pig. The spleen is the best tissue to submit for inoculation work. It should be wrapped in clean cloth.

Parasites should be preserved in diluted formalin (formalin 1 to water 9) solution. A statement of the host relations should accompany the parasites.

Tissues for Histologic Study. An examination of the gross and microscopic structure of certain lesions is often desired. This applies particularly to tumors and localized lesions wherein possible transmissible infections are not of primary interest. Such tissues should reach the laboratory with a minimum amount of decomposition so that a preservative usually is necessary. Small pieces can be placed entirely in vials of diluted formalin. Lesions thicker than $\frac{3}{4}$ inch should be

sectioned so that slices of that thickness through the characteristic changes will fix en route. A portion should in addition be sent in the fresh condition.

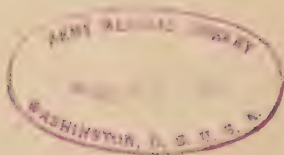
Fecal samples are suitable for the detection of parasitic ova and of coccidial oocysts. An ounce is an ample quantity. They should be collected in a tight container to avoid leaking en route.

Skin scrapings are for the purpose of establishing the possible presence of scab or mange mites. Mange mites burrow into the skin while the scab parasite lives on the surface beneath the scabs. It is well to scrape deep enough to cause some exudation of serum. Any tight container will suffice.

Urine samples are to be preserved with a few c. c. of chloroform. A quantity of an ounce is sufficient for the usual test.

Please prepay the express, unless other arrangements have been made to handle it.

These regulations were approved March 28, 1945, by Assistant Attorney General, P. O. Sathre.



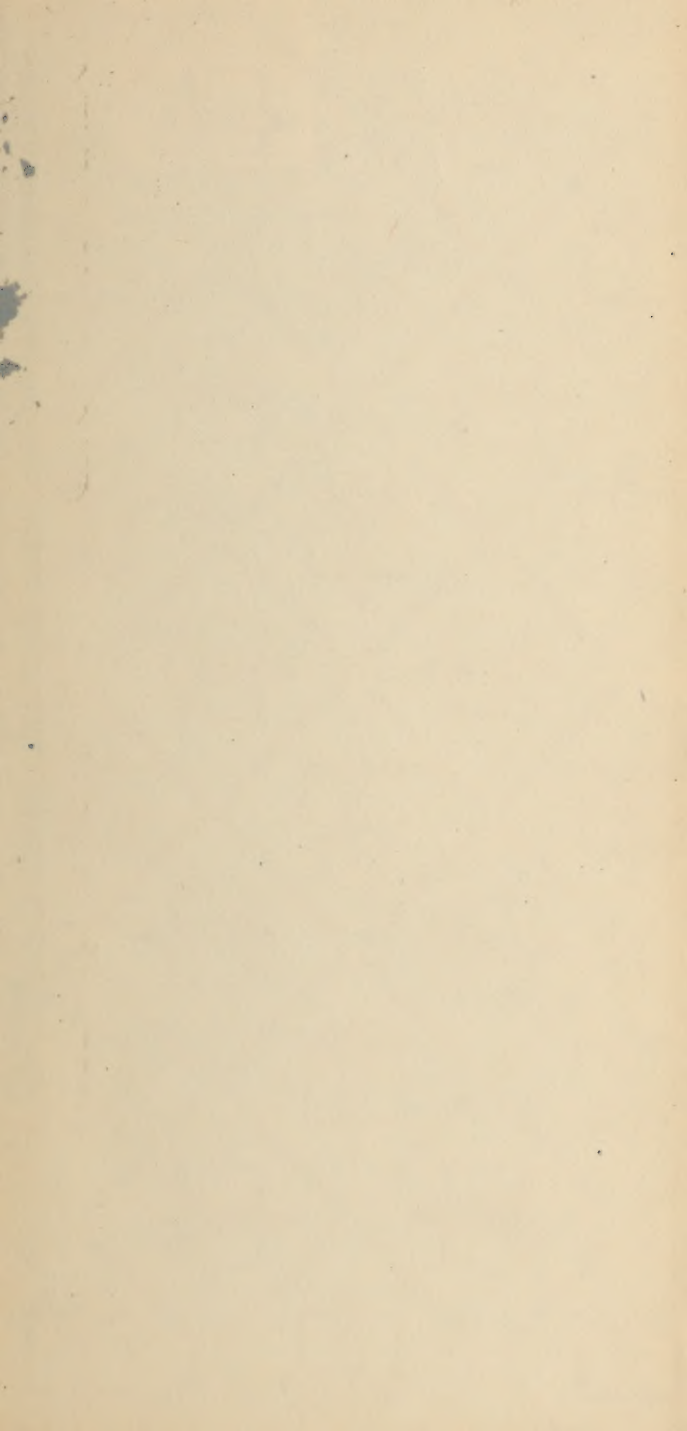
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